

FISHERY MARKET NEWS

JULY 1944 - SUPPLEMENT

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MPR-418--FRESH FISH AND SEAFOOD--AND AMENDMENTS 1 TO 33

The text and this condensation of the tables of MPR-418 and the amendments through July 31 are for ready reference purposes only. Every effort has been made to insure its accuracy but users are cautioned that the official regulations governing the maximum prices established for the sale of fresh fish and seafood are those contained in the order and amendments listed immediately below:

MPR-418				Amdt.			
Issued		Effective		Issued		Effective	
July 7, 1943		July 13, 1943		Nov. 26, 1943		Dec. 2, 1943	
Amdt. 1	19	19	"	17	Nov. 26	Dec. 2	1943
" 2	26	26	"	18	" 30	" 6	"
" 3	Aug. 4	Aug. 4	"	19	Dec. 1	" 1	"
" 4	" 23	" 25	"	20	" 31	Jan. 7	1944
" 5	" 20	" 20	"	21	Feb. 1, 1944	Feb. 7	"
Corr. to				22	" 7	" 12	"
Amdt. 5	" 31	-	-	23	" 8	" 14	"
" 6	Sept. 8	Dec. 1, 1943	(Amdts. 10, 12)	24	" 24	" 28	"
" 7	" 2	Sept. 2, 1943	"	25	" 29	Mar. 6	"
" 8	" 15	" 21	"	26	Mar. 7	" 13	"
" 9	" 28	Oct. 4	"	27	" 18	" 18	"
" 10	" 25	Sept. 14	"	28	" 28	Apr. 3	"
" 11	" 28	" 28	"	29	" 31	" 6	"
" 12	Oct. 13	Oct. 15	"	30	Apr. 11	" 17	"
" 13	" 23	" 23, 30	"	Corr. to			
" 14	" 25	" 29	"	Amdt. 29	" 20	-	-
" 15	" 25	" 25	"	Corr. to			
Corr. to				Amdt. 30	May 4	-	-
Amdt. 15	Nov. 9	-	-	" 31	June 2	June 2	1944
" 16	" 3	Nov. 9, 1943		" 32	" 12	" 17	"
				" 33	" 26	" 26	"

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that maximum prices be established for the sale by producers and wholesale distributors of fresh fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be effected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the Act. The prices established are not below the average prices of fresh fish and seafood in the year 1941.

A statement of the considerations involved in the issuance of the regulations has been issued herewith and filed with the Division of the Federal Register.

1364.17 Maximum prices for fresh fish and seafood. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 418 (Fresh Fish and Seafood), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION NO. 418--FRESH FISH AND SEAFOOD

ARTICLE I--PURPOSE AND SCOPE OF REGULATION

Section

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3. Primary fish shipper sales.
4. Port sales.
5. Sales other than primary fish shipper sales by wholesalers.
6. Service and delivery sales.
- 6a. Maximum prices for sales of custom dressed fish to purveyors of meals.
7. Maximum prices for retail sales by producers and wholesalers.
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Article I--Purpose and Scope of Regulation

Section 1 *What this regulation does.*
 (a) This regulation fixes maximum prices at which producers and wholesalers may sell fresh fish or seafood. It sets prices for various types of sales by wholesalers to other wholesalers, retail chain store warehouses, government agencies, retailers and purveyors of meals. A wholesaler is a person who buys fresh fish or seafood and resells 20 percent or more of such fresh fish or seafood to persons other than ultimate consumers. A retailer is a person other than a purveyor of meals who buys fresh fish and seafood and resells more than 80 percent of such fish or seafood to ultimate consumers. This regulation also sets prices for sales at retail by such producers and wholesalers as are not covered in Maximum Price Regulation No. 507 and Maximum Price Regulation No. 439.

(b) *Prohibition against selling or buying above maximum prices.* Regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business any fresh fish or seafood at a price higher than the maximum prices established for it by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

However, prices lower than the maximum prices may be charged and paid.

(Amts. 1 & 32)

Sec. 2. *How a producer determines his maximum prices for fresh fish--*

(a) *Ex-vessel fish.* Table A (Article IV, section 20 (a)) lists the species of fresh fish and seafood (including shellfish and mollusks) for which maximum prices are established by this regulation. The prices are fixed for each month. For each month, there are two columns of prices. The prices in Table A on sales by producers apply irrespective of the nature of the purchaser and irrespective of whether the fish are sold through an agent of any kind. Nevertheless, a producer who performs the functions of a primary fish shipper wholesaler or other wholesaler at his established place of doing business, and who for the substantial portion of the year prior to July 13, 1943, was engaged in performing the functions of a primary fish shipper wholesaler or other wholesaler at his established place of doing business, may sell at the prices

provided in Table B, C, or D depending on the character of the sale. The left-hand pricing column is the producer's maximum price at the port of entry for the designated species in bulk, ex-vessel, i. e., in the customary way in which the particular species is landed at that port, and of the customary size, where size is a factor in the price. War risk-insurance premiums may be paid in addition to the listed maximum prices for those species of fish and in those localities where such premiums have customarily been paid by purchasers of the fish. (Amts. 3, 13, 16, 18, & 32)

(b) *Boxed fish.* Where a producer, besides bringing fresh fish or seafood to port, also boxes or barrels his fish at or near the port of entry and ships such fish by common carrier or where his sale of such fish involves transportation to the buyer other than local trucking, hauling or handling, his maximum prices shall be the prices listed in the right hand pricing column of Table A for the species and the month involved. Such prices shall include all brokerage, commission, or any other customary selling fees, transportation and any other expenses incurred. (Amts. 17 & 32)

(c) *Sales to canners.* The applicable prices in Table A shall apply to sales of fresh fish and seafood to canners by any person. (Amts. 4)

(d) *Regional adjustments of producers' prices.* Any regional office of the Office of Price Administration may by order modify the maximum price established by Table A for any species and style of dressing wherever, and to the extent that, it determines such modification to be necessary to prevent the avoidance of the prices established by Table A or to prevent disruption of the customary methods of landing and selling fish: *Provided*, That the prices as thus modified shall be in line with the prices established by Table A for the particular species, making allowance for the differences in the method by which, or the place at which, the fish are removed from the vessel or delivered to the buyer. No modification may be issued which would require an increase in the prices established by any other table or by any other regulation. Such modification shall apply to sales at such areas or localities within the jurisdiction of the regional office as it may determine. No order of modification shall be issued until it shall have been submitted to the Office

ARTICLE III--MISCELLANEOUS PROVISIONS

18. Petitions for amendment.
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of Price Administration in Washington and approved. If the price is modified for any species which is customarily landed in any other region, the order of modification shall not be submitted to Washington until it has been submitted to the regional office for such other region. (Amts. 5)

Sec. 3. *Primary fish shipper sales.*
 (a) A primary fish shipper sale is a sale of fresh fish or seafood by a person (herein called a primary fish shipper wholesaler) who buys and receives such fresh fish or seafood from a producer at a port of entry or inland and who sells such fresh fish or seafood boxed, barrelled, packaged or in bulk from his established place of doing business.

(b) *Maximum prices for primary fish shipper sales to wholesalers and chain store warehouses.* The maximum price for a primary fish shipper sale to a wholesaler or chain store warehouse, whether made by the primary fish shipper wholesaler himself or his agent, or any other person acting on behalf of or under control of such primary fish shipper wholesaler or through a branch warehouse, is the price listed in Table B in section 22, plus the appropriate container allowance provided in section 21, plus the transportation allowance in section 9, if the fish or seafood is sold and delivered from a branch warehouse.

(c) *Maximum prices for primary fish shipper sales to retailers or purveyors of meals.* The maximum price for a primary fish shipper sale to a retailer or purveyor of meals, except from a branch warehouse as provided in subparagraph (d), is the price listed in Table C in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made.

(d) *Branch warehouse sales.* The maximum price for a primary fish shipper sale of fresh fish or seafood (except shrimp, salmon and halibut) to a retailer or purveyor of meals where the sale is negotiated or made at a branch warehouse as herein defined and where the fish or seafood is sold and delivered from the stock of a primary fish shipper wholesaler's branch warehouse which is remote from his main place of doing business, and at which warehouse the primary fish shipper employs two or more full-time employees who are stationed at and engaged in making sales and performing services

solely for the primary fish shipper from such warehouse is the price listed in Table D in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21. The maximum price for such a sale of shrimp, salmon or halibut is the price listed in Table C in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21. (Amtds., 3, 4, 6, 17, 18 & 32)

Sec. 4. Port sales. (a) A port sale of fresh fish or seafood is a sale by a wholesaler which is made at or which involves delivery from any place in the United States or outside the United States within 50 miles from the point where the fish or seafood was landed. A port sale is also a sale which is made at or which involves delivery from a place within a port area with respect to any species and period as established by the Administrator or otherwise established by order in accordance with paragraph (b).

(b) *Regional designation.* Any regional office of the Office of Price Administration or any such other office as may be authorized by the appropriate regional office may by order designate as a port area, for any species and any period, any area within its jurisdiction in which a substantial volume of that species is landed or to which a substantial volume is shipped by producers.

(c) *Port sales to wholesalers and chain store warehouses.* The maximum price for a port sale of fish or seafood other than fillets to a wholesaler or chain store warehouse is the price listed in Table B in section 22 plus the transportation allowance provided in section 9, plus the appropriate container allowance provided in section 21. (Amtds., 1, 3, 7, 9 & 32)

Sec. 5. Sales other than primary fish shipper sales by wholesalers.—(a) To other wholesalers and chain store warehouses. Except as provided for a port sale of fish or seafood other than fillets and a primary fish shipper sale, the maximum price for a sale to a wholesaler or a chain store warehouse by another wholesaler is the price listed in Table C in section 22 plus the transportation allowance as provided in section 9, plus the appropriate container allowance as provided in section 21.

(b) *To retailers or purveyors of meals.* The maximum price for a sale other than a primary fish shipper sale to a retailer or purveyor of meals by a wholesaler is the price listed in Table D in section 22 plus the transportation allowance in section 9, plus the appropriate container allowance in section 21, plus the addition for service and delivery where such a sale is made, as provided in section 6.

(c) *Sales by a retailer-owned cooperative wholesaler.* (1) A sale by a retailer-owned cooperative wholesaler is a sale by a person which is either a non-profit organization or a corporation of which 51 percent or more of the stock is owned by its retail customers and which generally sells f. o. b. warehouse or delivers to affiliated retail stores.

(2) *Maximum prices for sales by a retailer-owned cooperative wholesaler.* The maximum price for a sale by a retailer-owned cooperative wholesaler is the price listed in Table C in section 22, plus the appropriate container allowance provided in section 21, plus transportation as provided in section 9. (Amtds., 25 & 32)

Sec. 6. Service and delivery sales. (a) A service and delivery sale is a sale of fresh fish or seafood to a retailer or purveyor of meals by a person (herein called a service and delivery wholesaler) who delivers such fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals. (Amtd., 32)

(b) *To retailers.* For a service and delivery sale of any fresh fish or seafood to a retailer by a primary fish shipper wholesaler, his agent or branch warehouse, or by a wholesaler other than a retailer-owned cooperative wholesaler, whose supplier's ceiling was based on Table B, such wholesaler may add 1½ cents per pound to the price as determined in section 3 (c) (based on Table C) or section 5 (b) (based on Table D), whichever is applicable, plus the allowance in section 9 (b) when applicable. For other service and delivery sales to retailers, the wholesaler may add 2½ cents per pound to the price as fixed in section 5 (b) plus transportation allowance in section 9 (b) when applicable. (Amtds., 32 & 33)

(c) *To purveyors of meals.* For a service and delivery sale to a purveyor of meals, a wholesaler may add 2½ cents per pound to the price as determined in section 3 (c) (based on Table C) or section 5 (b) (based on Table D), whichever is applicable, plus the allowance in section 9 (b) when applicable. (Amtd., 32)

Sec. 6a. Maximum prices for sales of custom dressed fish to purveyors of meals. For a sale of custom dressed fish to a purveyor of meals, a further addition of 2 cents per pound of custom dressed fish may be added to the applicable price for dressed fish. If a price is fixed in the regulation for round fish, but no price is fixed for dressed fish, the applicable dressed fish price shall be deemed to be 40 percent more than the applicable price for a sale of round fish. If no price is listed for dressed or round fish, but prices are listed for drawn fish of a species, the applicable dressed fish price shall be deemed to be 25 percent more than the applicable price for a sale of drawn fish. For the purposes of this section, "custom dressed" fish shall mean fish with the head, entrails, scales and fins removed. There shall be no charge by the wholesaler in supplying such fish to purveyors of meals for any other customary services performed such as slicing, removing collar bone, wrapping, etc. (Amtd., 33)

Sec. 7. Maximum prices for retail sales by producers and wholesalers. This section applies to producers and wholesalers who sell fresh fish or seafood for the most part to persons other than ultimate consumers who are not commercial, industrial or institutional users. The

maximum price at which any producer or wholesaler may sell fresh fish or seafood to ultimate consumers who are not commercial, industrial or institutional users shall be the Table B price plus the appropriate mark-up established for Group 3 and 4 stores in Maximum Price Regulation No. 507 (Ceiling Prices of Certain Fresh Fish and Seafood Sold at Retail). (Amtd., 32)

Sec. 8. Special package shipments to outlying country points by wholesalers. A wholesaler who packs fish or seafood in special containers for shipment to outlying country points to individual retail stores or purveyors of meals may, in addition to the permitted maximum price, add the actual cost of the special containers and the cost of the refrigerant. The added cost must be shown on the invoice to the customer.

Sec. 9. Allowance for transportation.—(a) *When a wholesaler may add his transportation cost to listed prices.* Any wholesaler in the United States buying fresh fish or seafood from another wholesaler in the United States may add to the price fixed in section 20 for such fish or seafood his actual transportation cost (excluding local trucking, hauling and handling charges) from the seller's shipping point to such wholesaler's receiving point, but only when he records the transportation cost in an invoice to the customer purchasing the fish or seafood. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation cost as part of the maximum selling price, but only if they in turn record it on an invoice to their customers. In no case may the added transportation cost exceed the common carrier rate from the shipping point to the wholesaler's receiving point. Where a wholesaler has a branch warehouse located at a remote point from his principal place of business as well as at a remote point from the nearest domestic port producing the greatest volume of a particular species and such wholesaler ships fresh fish or seafood of such species from his principal place of business to the branch warehouse, such branch warehouse may for the purpose of transportation allowance be considered a wholesaler who purchases fish and seafood from another wholesaler. (Amtds., 3, 6, 9, & 28)

(b) *Service and delivery sales.* When a service and delivery wholesaler delivers by means other than a common carrier to an individual retail store or purveyor of meals located at a distance of more than 25 air miles from the point of shipment, he may add to his maximum price the appropriate charge listed below.

Distance:	Allowance in cents per pound
25 to 75 miles.....	¼
75 to 150 miles.....	½
151 to 250 miles.....	1
Over 250 miles.....	1½

(Amtd., 28)

(c) *Transportation allowance for imported fish.* Any importer or agent of a foreign consignor of fresh fish or seafood may add as a transportation allowance to the appropriate table price the lowest amount determined on the following three bases:

(1) The actual cost of transportation (exclusive of local trucking, hauling and

handling charges) from the seller's shipping point to the importer's receiving point;

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the fresh fish or seafood entered the United States or the carload rail rate for fresh fish or seafood from the point in the United States nearest the foreign shipper's shipping point whichever is designated by the seller;

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped. However, with respect to the species listed hereinafter, the cost of transportation shall not exceed the cost for the type of shipment used from the port listed for that species.

Species: Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, rosefish. Port: Boston, Mass.

In determining the transportation allowance common carrier rates shall be used, and the importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they in turn record it in an invoice to their customers. This paragraph (c) does not apply to Canadian lake fish listed in Schedules 51-60 (Amtds. 25 & 32)

(d) *Canadian lake fish.* Any importer or agent of a foreign consignor of fish covered in Schedules 51-60 inclusive may add the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment to the receiving point in the United States, but in no event more than carload rail rate from the City of Winnipeg in the Province of Manitoba, Canada, to such receiving point. He may add such transportation cost only if he records it on an invoice to the customer purchasing the fish or seafood. A purchasing wholesaler or subsequent wholesalers of such fish or seafood may pass on such transportation cost, but only if they in turn record it in an invoice to their customers. (Amtd. 28)

Example. Fresh fish and seafood might move from Prince Rupert, B. C. to Montreal by Canadian National Railway and enter the United States slightly south of Montreal on the way to New York. The port of entry in the United States would thus be near Montreal. Under such circumstances, any wholesaler in the United States except the primary fish shipper wholesaler would be permitted to add only the rail rate from Montreal to New York were it not for the added provision in this section that allows the wholesaler to use Seattle as the port of entry. The rail rate is the same from Prince Rupert to New York as it is from Seattle to New York. Thus, the wholesaler may add what would amount to the actual transportation cost.

(e) *Authorization to regional offices to fix transportation allowances.* Any regional office of the Office of Price Administration, and such other offices as may be authorized by the appropriate regional office, may by order determine

and fix for any area or locality within its jurisdiction, a transportation allowance applicable to any species of fresh fish or seafood. The allowance shall be ascertained by reference to the principal source or sources from which the particular species is shipped to the area or locality and the method of transportation generally used. The transportation allowance thus fixed shall be used by all wholesalers in lieu of the actual transportation cost, in determining their maximum prices for the sale, in the area or locality, of the designated species of fresh fish or seafood. The transportation allowance may be made effective for such time as the appropriate office finds proper, and may be changed from time to time to reflect changes in the principal sources of designated species of fish or seafood or methods of shipment which occur in the regular course of business. In determining the maximum prices for sales of fresh fish and seafood in any area or locality for which a transportation allowance is not established, wholesalers shall add actual transportation cost as provided in paragraph (a) of this section. Any transportation allowance established pursuant to the provisions of this paragraph shall have the same force and effect as if specifically established in this regulation. (Amtd. 28)

(f) *Special rules affecting halibut.* The table price, appropriate with respect to the type of sale, the style of dressing and the point of landing, plus the transportation allowance in this section shall not exceed whichever of the following three is lowest: (1) The appropriate table price for halibut which was landed on the Pacific Coast of Continental United States, plus the rail rate from Seattle to the seller's receiving point for the type of shipment used; (2) The appropriate table price for halibut which was landed on the Pacific Coast of Canada, plus the rail rate from Prince Rupert to the seller's receiving point for the type of shipment used; (3) The appropriate table price plus the transportation allowance as fixed in section 7 (a) or (7) (c), whichever is applicable. (Amtd. 29)

Sec. 10. *Imported fresh fish and seafood.* (a) The maximum price at which an importer, including any agent of a foreign shipper, may sell any fresh fish or seafood listed in this regulation shall be the price listed in Tables B, C or D, depending on the type of sale involved plus the appropriate container allowance in section 21, plus the transportation as provided in section 9, plus the appropriate allowance for sales on a service and delivery basis where applicable.

(b) Except as hereinafter provided no person in the course of trade or business shall import (buy, receive or in any manner pay for and bring in, deliver or cause to be brought into or delivered into the continental United States) from Canada any of the species of Canadian lake fish listed below at a price higher than the price established in the table below for such species of Canadian lake fish. The table prices below are f. o. b. the City of Winnipeg in the Province of Manitoba, Canada, and apply to all Canadian lake fish imported from Winnipeg. The maximum importing price for Canadian lake fish which is imported from any point in Canada, other than Winnipeg,

shall be an f. o. b. price in line with the f. o. b. Winnipeg price so that the total cost of the fish delivered to the importer's place of business is not greater than it would have been if purchased f. o. b. at Winnipeg. These maximum prices are in American currency and apply to such fish caught or landed in Canada except fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

(c) *Halibut.* No person shall buy halibut landed on the Pacific Coast of Canada, which halibut is intended for transshipment in bond into the United States, at a price higher than the Table A price as fixed by footnote 38 when the fish is bought from the producer or Table B as fixed by footnote 38 or 39 when bought from any wholesaler. No producer shall sell any halibut on the Pacific Coast of Canada from a vessel of the United States, which halibut is intended for transshipment in bond to the United States, at a price higher than the applicable Table A price as fixed by footnote 38. (Amtds. 1, 28, & 29)

Sec. 11. *Sales to governmental agencies.* For the purposes of this regulation a governmental agency may be considered an individual retail store, purveyor of meals or any class of wholesaler, depending on the type of sale involved and service rendered by the seller.

Sec. 12. *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia and, notwithstanding the provisions of Maximum Price Regulation 194, to the Territory of Alaska.

(Amtd. 1)

Sec. 13. *Sales to which this regulation does not apply.*

(a) The provisions of this regulation shall not be applicable to sales or deliveries of fresh fish and seafood to a purchaser (1) with respect to prices listed in Tables A and B in section 20, if prior to July 13, 1943 such fresh fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, and (2) with respect to prices listed in Tables C, D and E in section 20, if prior to July 19, 1943 such fresh fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller for shipment to such purchaser. (Amtd. 1)

(b) ^h deleted by Amtd. 28)

Sec. 14. *Relation to other regulations.* (a) The provisions of this regulation supersede Maximum Price Regulation No. 366, as amended (Fresh Tuna Fish), except that Maximum Price Regulation No. 366, as amended, shall remain in full force and effect until the effective date of this regulation.

(b) The maximum price at which a person may export fresh fish and seafood shall be determined in accordance with

the provisions of the Second Revised Maximum Export Price Regulation¹ issued by the Office of Price Administration.

Article II—Record Keeping and Enforcement

Sec. 15. Records and reports.

(a) Every person making a sale subject to this regulation and every person in the course of trade or business making a purchase of fresh fish or seafood subject to this regulation, or otherwise dealing therein, after July 12, 1943, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of dressing of pack of fresh fish or seafood, and the container type and size, and indicating that the fish or seafood is fresh. (Amdt. 25)

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1943, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

(c) Every person making a sale of any fresh fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is fresh; the quantity, sizes, grades and styles of dressing of fresh fish and seafood, and the price charged therefor including a separate statement of the container cost, if any, as provided in section 19, and transportation cost, if any, as provided in section 7. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of dressing, the maximum price which may be charged for the fresh fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of dressing of the species of fresh fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is fresh, and if a price is listed in Maximum Price Regulation No. 364 for the species in the particular style of dressing or processing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 364 and this Maximum Price Regulation No. 418: *Provided*, That this paragraph shall not apply to any sales made at prices listed in Table A in section 20. (Amts. 4, 16, 25, & 30)

(d) *Authorization to regional offices to modify invoice provisions.* Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (c) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction

and is consistent with the effective enforcement of this Maximum Price Regulation No. 418. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (c) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such order on his own initiative or upon application for adjustment of the requirements in paragraph (c) by any person subject to them. Subpart B of Revised Procedural Regulation No. 1 shall apply to such applications for adjustment. (Amdt. 32)

(e) Every primary fish shipper wholesaler selling fresh shrimp and/or prawn in containers shall mark in clearly legible numbers and letters on the outside of each container or on a tag attached thereto the count and net weight of the shrimp and/or prawn within the container and the name and address of the shipper. (Amts. 16 & 32)

Sec. 16. *Evasion.* (a) The price limitations set forth in this Regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to fresh fish or seafood separately or in combination with any other commodity or service, or by way of any commission, service, transportation, container, packaging or other charge, or discount premium or other privilege, or by tying agreement or other trade understanding, or by changing the style of dressing of fresh fish or seafood, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly invoicing fresh fish and seafood.
(2) Offering, selling or delivering fresh fish or seafood on condition that the purchaser is required to purchase some other commodity or service.
(3) Offering to sell or purchase, selling or purchasing, delivering or receiving at a price higher than the current market price, not to exceed 5 cents per pound, any fresh fish or seafood not priced by this Maximum Price Regulation No. 418 when sold by or purchased from a producer in combination with a sale or purchase of fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418: *Provided*, That this subparagraph (3) shall not apply if fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418, constitutes less than 25 percent of the weight of the fresh fish or seafood involved in the total sale or purchase.

(4) Offering to sell or purchase, selling or purchasing, delivering or receiving at a price higher than the current market price any fresh fish or seafood not priced by this Maximum Price Regulation No. 418 when sold by or purchased from a wholesaler in combination with a sale or purchase of fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418.

(5) Charging, paying, billing or receiving any consideration for or in connection with any service for which a spe-

cific allowance has not been provided in this Maximum Price Regulation No. 418. (Amdt. 26)

Sec. 17. *Enforcement.* On and after July 13, 1943, any person violating any provision of this regulation shall be subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

Sec. 17a. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(Lic. Ord. No. 1)

Article III—Miscellaneous Provisions

Sec. 18. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration. Any application involving the problem of transportation shall be filed in the regional office in the region where the petitioner resides.

Sec. 19. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Sec. 20. *General definitions.* when used in this maximum price regulation the term:

"Butterfly fillet" means two single fillets which are held together as a single unit by leaving intact the belly wall of the fish.
"Cellophane wrapped" means fish, seafood, or fillets which are wrapped in cellophane.

"Center cut" or "Cut-center" means a cross section cut (not a head cut or tail cut) from the middle portion of and not exceeding $\frac{1}{2}$ the length of the dressed fish. (Amdt. 28)

"Container" means a box, barrel, carton or crate, of wood, paper, metal or other substance used for packing fish. (Amdt. 1)

"Drawn fish" means fish from which the viscera or entrails have been removed, with the head left on.

"Dressed" means fish from which the head and viscera have been removed or any portion of such fish, not otherwise designated. (Amdt. 28)

"Established place of doing business" means the plant where the producer or wholesaler handles and distributes fresh fish or seafood.

"Fillet" means the heavily meated section or strip of fish cut from along the backbone and outside the rib bones, extending from the nape and gills to the tail, or portions thereof. (Amdt. 1)

"Grade" means any qualification of the name of the fish or seafood listed in the tables in section 22. (Amdt. 32)

"Gutted" means fish from which the viscera or entrails have been removed, with the head left on.

"Head cut" or "Cut-head" means a cross section cut from the head end of the dressed fish. (Amdt. 28)

"Headed" means fish from which the head has been removed.

"Headless" means shellfish from which the head has been removed. (Amdt. 8)

"Headless and veined" means shellfish from which the head and alimentary canal (sand vein) have been removed. (Amdt. 8)

"Head-on" means shellfish as it comes from the water. (Amdt. 8)

"Layer pack" means fish which have been placed in a container in layers that are divided by sheets of paper.

"New York City" means the five boroughs of New York City and an area along the New Jersey shore of the Hudson River opposite Manhattan, and includes the area supervised by the Port of New York Authority.

"Parchment wrapped" means fish or fillets individually wrapped in parchment paper.

"Peeled" means shellfish from which the head and shell have been removed. (Amdt. 8)

"Peeled and veined" means shellfish from which the head, shell, and alimentary canal (sand vein) have been removed. (Amdt. 8)

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

"Price per pound" means the price for 16 net ounces of fresh fish or seafood.

"Price per ton" means the price for 2,000 net pounds of fresh fish or seafood.

"Producer" means the fisherman and those persons allied with him in the catching and landing of fresh fish or seafood, and includes any person who sells or delivers at a port of entry or at any other place fresh fish or seafood which he bought and received on a vessel owned or hired by him. (Amdt. 17)

"Retail chain store warehouse" means the receiving point for a unit of chain stores owned by one person.

"Round" fish or seafood means fish or seafood as it comes from the water. (Amdt. 25)

"Saddles" means the pectoral fins and the connecting cartilaginous strip of a rajafish. (Amdt. 30)

"Seine caught" means fish caught by gear other than hook and line.

"Steak" or "Slice" means a cross section cut from the dressed fish after the tail, fins and collar bone (nape bone) have been removed which does not exceed in thickness its largest diameter or 4 inches, whichever is smaller. (Amdt. 28)

"Tail cut" or "Cut-tail" means a cross section cut from the tail end of the dressed fish. (Amdt. 28)

"Troll caught" means fish caught by hook and line in ocean waters.

"Wings" means the pectoral fins of a rajafish. (Amdt. 30)

Unless the content otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

Article IV—Maximum Prices and Container Prices

SEC. 21. Container allowances.

(a) A wholesaler who sells fresh fish or seafood in a container may add as part of his maximum selling price the applicable container allowance listed in this section but only if he records it on an invoice to the buyer and only if the container becomes the property of the buyer. In no case may a wholesaler add a container allowance if the container is returned to him.

(b) If a wholesaler processes fresh fish into steaks, fillets or boned fish, or if a wholesaler sells custom dressed fish to a purveyor of meals and such wholesaler paid a container allowance permitted in this section, he may add as part of his maximum selling price an amount which will enable him to recover the permitted container allowance paid by him when he purchased the fish involved in the processing but no more than 3 cents in the case of sales of fillets or boned fish and no more than 2 cents in the case of sales of steaks and sales of custom dressed fish to purveyors of meals.

A purchasing wholesaler or subsequent wholesaler of such steaks, fillets or boned fish may pass on to his customer as part of his maximum selling price any container allowance authorized by this paragraph (b) which he paid.

(c) Container prices.

Net weight of fish or seafood	Cents per pound for container
5	1 1/4
10	1 1/2
15	1
20	1
50	1 1/2
75	1 1/4
100	1
150	3/4
200	3/4
250	3/4
300	3/4

For any net weight not listed in this section, take the nearest net weight for which provision is made.

For any net weight falling equally between two listed net weights, take the net weight with the lower allowance. When fish or seafood is cellophane wrapped, add an additional 1/4 cent per pound. (Amdts. 9, 16, 32, & 33)

Sec. 22. Tables of maximum prices for producers and wholesalers. The tables in section 22 of this regulation list maximum prices by months for sales by producers and wholesalers of different species of fresh fish and seafood according to various sizes and styles of dressing. For any fresh fish listed in this section that is sold in a style of dressing not listed in the section, the maximum price shall be the price listed for the lowest priced style of dressing for the particular species. For any fresh seafood listed in this section that is sold in a style of dressing not listed in the section for the particular seafood, the maximum price shall be the price listed for the lowest priced style of dressing for any seafood. For any fresh fish or seafood listed in this section that is sold in a size not listed in the section, the maximum price shall be the price listed for the lowest priced size for the particular species. For the purposes of this section round is to be considered a style of dressing.

(Amdts. 4 & 25)

(a) The Regional Administrator for Region VIII may by order fix maximum prices for all types of sales of fresh fish or seafood for which a maximum price has not been established in this Maximum Price Regulation No. 418: *Provided*, That: (1) During the year preceding the issuance of the order, substantially all of such fish or seafood which was consumed in the United States entered the United States at or was produced within Region VIII; (2) substantially all of such fish or seafood during the year preceding the issuance of the order was consumed within Region VIII; and (3) the maximum price fixed by the order for each type of sale of such fish or seafood does not exceed the 1942 weighted average price for that type of sale of such fish or seafood: *Provided*, That such price is otherwise in accord with the provisions of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328.

The Regional Administrator for Region VIII shall issue with each order an opinion setting out the above circumstances. Each order shall provide such allowances and deductions of general applicability as are provided in Maximum Price Regulation No. 418. All of the other provisions of general applicability in Maximum Price Regulation No. 418 shall be incorporated in each order. Any order issued pursuant to this section shall apply to the area designated by the Regional Administrator, but in no event shall the order extend beyond the limits of Region VIII. (Amdts. 20 & 22)

TABLE A -- MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD
Price in cents per pound for bulk ex-vessel--Boxed prices are 1 cent per pound higher

Sched. No.	Species	Item No.	Style of dressing	Size	Season			
					Months	Price	Months	Price
1	Alewives	1	Round	All	All	14	-	-
2	Codfish ^{1/}	1	Drawn	25 lbs. up	Apr-Sept	6	Oct-Mar	8
		2	"	10 to 25 lbs.	"	6 1/2	"	8 1/2
		3	"	2 1/2 to 10 lbs.	"	6	"	8
		4	"	Under 2 1/2 lbs.	"	5 1/2	"	7
		5	Round	" 1 1/2 lbs.	"	2	"	3
		6	"	1 1/2 to 2 1/2 lbs.	"	3	"	4
		7	"	2 1/2 to 10 lbs.	"	3 1/2	"	5
		8	"	10 to 25 lbs.	"	4	"	5 1/2
		9	"	25 lbs. up	"	3 1/2	"	5
		10	Dressed	" " "	"	8	"	10 1/2
		11	"	10 to 25 lbs.	"	8 1/2	"	11 1/2
		12	"	5 to 10 lbs.	"	8	"	10 1/2
3	Cusk ^{1/}	1	Drawn	-	"	5 1/2	"	7 1/2
4	Blackback ^{1/}	1	Round	All	Apr-Nov	7	Dec-Mar	10
5	Dab, seal ^{1/}	1	"	-	Apr-Sept	4 1/2	Oct-Mar	6 1/2
6	Yellowtail ^{1/}	1	"	All	"	4 1/2	"	6 1/2
7	Reddick ^{1/}	1	Drawn	2 1/2 lbs. up	"	7	"	9
		2	"	Under 2 1/2 lbs.	"	6 1/2	"	8 1/2
		3	Round	" 1 1/2 lbs.	"	2	"	3
		4	"	1 1/2 to 2 1/2 lbs.	"	3 1/2	"	5 1/2
		5	"	2 1/2 lbs. up	"	4 1/2	"	6 1/2
8	Hake ^{1/}	1	Dressed	" " "	"	6 1/2	"	8 1/2
		2	"	Under 2 1/2 lbs.	"	4 1/2	"	6 1/2
		3	Round	" 1 1/2 lbs.	"	2	"	3
		4	"	1 1/2 to 2 1/2 lbs.	"	3 1/2	"	5 1/2
		5	"	2 1/2 lbs. up	"	4 1/2	"	6 1/2
9	Hake, mud ^{1/}	1	"	-	"	2	"	3
10	Herring	1	"	All	All	14	-	-
11	Pollock	1	Drawn	-	Apr-Nov	4 1/2	Dec-Mar	7
		2	Round	2 1/2 lbs. up	"	3 1/2	"	6
		3	"	1 1/2 to 2 1/2 lbs.	"	2 1/2	"	5
		4	"	Under 1 1/2 lbs.	"	2	"	3
12	Rosefish	1	"	-	Apr-Sept	3 1/2	Oct-Mar	4 1/2
13	Sole, gray ^{1/}	1	"	-	"	7	"	9
14	Sole, lemon ^{1/}	1	"	-	"	8	"	16
15	Whiting	1	"	-	May-Oct	2	Nov-Apr	2 1/2
		2	Dressed	-	"	4 1/2	"	5 1/2
16	Wolffish	1	Drawn	-	Apr-Sept	4 1/2	Oct-Mar	7 1/2
17	Scallops, sea	1	Meats	-	"	30	"	38
18	" bay	1	"	-	All	45	-	-
19	Swordfish	1	Dressed & tail off	All	"	30	-	-
20	Cod, true (Pac.Coast)	1	Round	"	May-Aug	4 1/2	Sept-Apr	6 1/2
		2	Dressed	"	"	6	"	8 1/2
*21	Crabs (Pac.Coast) (Dollars per doz.) ^{2/}	1	Round	"	All	\$1.75	-	-
22	Flounder (Pac.Coast) ^{26/}	1	"	"	May-Aug	3 1/2	Sept-Apr	4 1/2
23	Halibut ^{38/}	1	Dressed	5 to 10 lbs.	All	16	-	-
		2	"	10 to 60 lbs.	"	17 1/2	-	-
		3	"	Over 60 lbs.	"	16	-	-
24	Lingcod (Pac.Coast) ^{4/26/}	1	"	All	May-Aug	8	Sept-Apr	10
*25	Red cod (rock cod) (Pacific Coast)	1	Round	"	"	3 1/2	"	4 1/2
		2	Dressed	"	"	7	"	9
*26	Sablefish ^{4/}	1	Round	"	All	8 1/2	-	-
		2	Dressed	"	"	11 1/2	-	-
*27	Salmon, (Pac.Coast) King, troll ^{13/26/}	1	Drawn	14 lbs. & over	Apr-Dec	22	Jan-Mar	24
	Red meat	2	"	Under 14 lbs.	"	19 1/2	"	22
	White "	3	"	All	All	14	-	-
	Red "	4	Round	16 lbs. & over	Apr-Dec	18 1/2	Jan-Mar	20
	" "	5	"	Under 16 lbs.	"	15	"	18 1/2
	White "	6	"	All	All	11 1/2	-	-
28	Silver, troll ^{13/26/}	1	Drawn	"	"	16 1/2	-	-
		2	Round	"	"	13 1/2	-	-
29	" , seine ^{23/}	1	"	"	June-July	7	Aug	8
					Sept-Dec	11 1/2	-	-

NOTE: For footnotes see page 9.

TABLE A -- MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD (Cont'd)
Price in cents per pound for bulk ex-vessel--Boxed prices are 1 cent per pound higher

Sched. No.	Species	Item No.	Style of dressing	Size	Season			
					Months	Price	Months	Price
29A	Salmon (Cont'd)							
	Silver, seine ^{1/}	1	Round	All	Aug-Dec	9 $\frac{1}{2}$	-	-
29B	" " " ^{24/}	1	"	"	"	9	-	-
30	Fall " " ^{23/}	1	"	"	June-Dec	8	-	-
30A	" " " ^{17/}	1	"	"	Sept-Dec	5	-	-
30B	" " " ^{24/}	1	"	"	"	4 $\frac{1}{2}$	-	-
31	Pink " " ^{5/}	1	"	"	June-Dec	5	-	-
32	Sockeye, " (blueback) ^{6/}	1	"	"	"	16	-	-
33	Chinook or king ^{7/}	1	"	"	Jan-Mar	20	Apr-July	17
					Aug 1-10	15	Aug 11-31	13 $\frac{1}{2}$
					Sept	8	Oct-Dec	10 $\frac{1}{2}$
34	Chinook or king ^{8/}	1	"	"	Jan-Mar	20	Apr-July	15
					Aug 1-26	13 $\frac{1}{2}$	Sept-Dec	12
34A	" , seine ^{5/}	1	"	"	Jan-Mar	20	Apr-Aug 15	13
					Aug 16-Dec	10	-	-
34B	" or king ^{25/}	1	"	"	Mar-June	15	Aug-Sept	11 $\frac{1}{2}$
					Nov-Feb	18	-	-
35	Steelhead	1	"	"	Jan-Mar	12	Apr-June 10	4
					June 11-Dec	10 $\frac{1}{2}$	-	-
36	Smelt, silver, (Pac. Coast)	1	"	"	May-Aug	8 $\frac{1}{2}$	Sept-Apr	10 $\frac{1}{2}$
37	Sole, (Pac. Coast)	1	"	"	"	3 $\frac{1}{2}$	"	4 $\frac{1}{2}$
38	Dover ^{26/}	1	"	13 inches & over	"	4 $\frac{1}{2}$	"	5 $\frac{1}{2}$
	English ^{26/}	2	"	11 $\frac{1}{2}$ to 13 inches	"	3	"	4
39	Petrale ^{26/}	1	"	All	"	5	"	6
40	Rex ^{26/}	1	"	"	"	2	"	3
41	Sand ^{26/}	1	"	"	"	4	"	5
42	Turbot ^{26/}	1	"	"	"	3 $\frac{1}{2}$	"	4 $\frac{1}{2}$
	Tuna (Pac. Coast)							
*43	Albacore ^{29/}	1	"	"	All	16 $\frac{1}{2}$	-	-
*44	Yellowfin ^{29/}	1	"	"	"	10	-	-
*45	Bluefin ^{29/}	1	"	"	"	9 $\frac{1}{2}$	-	-
*46	Skipjack (striped) ^{29/}	1	"	"	"	9	-	-
*47	Bonito (Pac. Coast) ^{29/}	1	"	"	"	7 $\frac{1}{2}$	-	-
*48	Yellowtail (Pac. Coast) ^{29/}	1	"	"	"	7 $\frac{1}{2}$	-	-
*49	Pilchard (per ton) ^{18/}	1	"	"	Aug-Feb	\$22.00	-	-
*50	" (when sold for bait only) ^{18/}	1	"	"	"	2	-	-
51-60	(See Tables B - D)							
61	Shrimp & prawn (per 210 lb. bbl.) ^{28/33/}	1	Head on	Under 9 count per lb.	All	\$32.00	-	-
		2	"	Over 9-12 count	"	28.00	-	-
		3	"	" 12-15 "	"	24.00	-	-
		4	"	" 15-18 "	"	20.00	-	-
		5	"	" 18-25 "	"	17.00	-	-
		6	"	" 25-39 "	"	14.00	-	-
		7	"	" 39 "	"	11.00	-	-
62	Lake herring ^{31/}	1	Round	All	Oct-Dec 15	3	-	-
		2	Gutted	"	" " "	4 $\frac{1}{2}$	-	-
63	" " , caught in Saginaw Bay	1	Round	"	" " "	5	-	-
		2	Gutted	"	" " "	6 $\frac{1}{2}$	-	-
64	Ocean pout (Conger eel or eelpout)	1	Round	"	Jan-Dec	3	-	-
65	Rajafish	1	Round	"	"	1	-	-
		2	Saddles	"	"	2 $\frac{1}{2}$	-	-
		3	Wings	"	"	3 $\frac{1}{2}$	-	-

*No boxed price listed.

- 1/ Add 1 cent per pound when landed ex-vessel in New York City (codfish and haddock only). Any seller other than the producer, who fresh processes this species landed ex-vessel in New York City, may add to his selling prices that amount which will recover the full amount of the addition paid for the particular lot of fish involved in the processing. (Amit. 14)
- 2/ Prices apply only when landed ex-vessel in ports of entry in Washington and Oregon.
- 3/ Deduct 1 $\frac{1}{2}$ cents when landed ex-vessel in any port in Washington and Oregon other than Seattle and Astoria and the following amounts when landed ex-vessel in the following Alaskan ports: Ketchikan, 1 $\frac{1}{2}$ cents; Wrangell and Petersburg, 1 $\frac{1}{2}$ cents; Juneau, Sitka, and Pelican City, 2 cents; and Port Williams, 2 $\frac{1}{2}$ cents.

When landed ex-vessel in any other port in Alaska deduct the amount specified for the nearest port listed. (Amdts. 1, 7, and 32)

- 4/ Deduct the following amounts when landed ex-vessel in the following Alaskan ports of entry: Ketchikan, $1\frac{1}{2}$ cents; Wrangell and Petersburg, $1\frac{1}{2}$ cents; Juneau, Sitka, and Pelican City, 2 cents; and Port Williams, $2\frac{1}{2}$ cents. Landed ex-vessel in any other port of entry in Alaska deduct amount specified for the nearest port of entry. (Amdt. 1)
- 5/ Apply when delivered ex-vessel Neah Bay; Fishing Grounds of Juan de Fuca Strait; Puget Sound, and all other waters in or adjoining the State of Washington except the Columbia River. (Amdt. 5)
- 6/ Apply only when delivered ex-vessel Neah Bay, and the fishing grounds of all waters of Oregon and Washington.
- 7/ Apply only when caught in the Columbia River.
- 8/ Apply only when caught in bays, streams, and rivers and adjoining waters in Oregon and California other than the Columbia and Sacramento Rivers. (Amdt. 5)
- 18/ Apply only when landed ex-vessel in ports of entry in California. To the price in Schedule No. 49 \$1.00 per ton may be added on sales of pilchards delivered to Benecia, Martinez, and Moss Landing, and \$1.50 to Pittsburgh. (Amdts. 2 and 3)
- 23/ Apply only when delivered ex-vessel Neah Bay, Fishing Grounds of Juan de Fuca Strait, Puget Sound, and streams tributary to Puget Sound. (Amdt. 7)
- 24/ Apply only when delivered ex-vessel anywhere in Washington or Oregon other than the Columbia River, Neah Bay, Fishing Grounds of Juan de Fuca Strait, Puget Sound and streams tributary to Puget Sound. (Amdt. 7)
- 25/ Apply only when caught in the Sacramento River. (Amdt. 7)
- 26/ Deduct when landed ex-vessel in following ports of entry in California: Half Moon Bay, Point Reyes, Bodega Bay, Crescent City, and Trinidad, 1 cent; and Shelter Cover, 2 cents. (Amdt. 7)
- 28/ When sold per pound, divide price by 210. (Amdt. 8)
- 29/ On sales in California to other than canners 2 cents per pound may be added to the listed price. (Amdts. 8 and 12)
- 31/ The maximum prices listed for this species of fish apply only to fish caught in Lakes Superior, Michigan, and Huron, and waters tributary thereto, but not in Saginaw Bay, except that the maximum prices for Bluefin lake herring, weighing one pound or more in the round and caught in Green Bay, are the prices listed in Schedule No. 63. (Amdts. 13 and 17)
- 33/ When a producer delivers head-on shrimp from a port of entry to New Orleans, La., add the actual cost of such transportation, not to exceed \$1.50 per barrel (210#) of head-on shrimp, to the maximum prices listed. (Amdt. 17)
- 38/ When landed in the following Alaskan ports deduct the following amounts: Ketchikan, $3\frac{1}{2}$ cents; Wrangell and Petersburg, $3\frac{1}{2}$ cents; Juneau, Sitka, and Pelican City, $3\frac{1}{2}$ cents; Port Williams, $4\frac{1}{2}$ cents. When landed in any other ports in Alaska, deduct the amount specified for the nearest port listed. Deduct $2\frac{1}{2}$ cents in American currency for sales of halibut landed on the Pacific Coast of Canada. For sales of dressed halibut landed on the Atlantic Coast add 2 cents. For sales of round halibut deduct $5\frac{1}{2}$ cents from the appropriate dressed price. For sales of drawn halibut deduct $1\frac{1}{2}$ cents from the appropriate dressed price. (Amdts. 29 and 31)

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)*
Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table			
						B	C	D		B	C	D	
1	Alewives	1	Round	All	All	$2\frac{1}{2}$	$3\frac{1}{2}$	$4\frac{1}{2}$	-	-	-	-	
2	Codfish	2	Dressed	$2\frac{1}{2}$ to 10 lbs.	Apr-Sept	$10\frac{1}{2}$	12	13	Oct-Mar	$13\frac{1}{2}$	$14\frac{1}{2}$	$15\frac{1}{2}$	
		1	"	10 to 25 "	"	$11\frac{1}{2}$	$12\frac{1}{2}$	$13\frac{1}{2}$	"	$13\frac{1}{2}$	$15\frac{1}{2}$	$16\frac{1}{2}$	
		3	Drawn	$2\frac{1}{2}$ to 10 "	"	8	9	10	"	10	11	12	
		4	"	10 to 25 "	"	$8\frac{1}{2}$	$9\frac{1}{2}$	$10\frac{1}{2}$	"	$10\frac{1}{2}$	12	13	
		5	"	Under $2\frac{1}{2}$ "	"	$7\frac{1}{2}$	$8\frac{1}{2}$	$9\frac{1}{2}$	"	9	10	11	
		6	Round	" $1\frac{1}{2}$ "	"	4	5	6	"	5	6	7	
		7	Fillets	All	"	$22\frac{1}{2}$	$24\frac{1}{2}$	$25\frac{1}{2}$	"	$27\frac{1}{2}$	$29\frac{1}{2}$	$30\frac{1}{2}$	
		8	Sliced	"	"	16	18	19	"	19	21	22	
		9	Dressed	Over 25 lbs.	"	$10\frac{1}{2}$	12	13	"	$13\frac{1}{2}$	$14\frac{1}{2}$	$15\frac{1}{2}$	
		10	Drawn	" " "	"	8	9	10	"	10	11	12	
		11	Round	$1\frac{1}{2}$ to $2\frac{1}{2}$ lbs.	"	5	6	7	"	6	7	8	
		12	"	$2\frac{1}{2}$ to 10 "	"	$5\frac{1}{2}$	$6\frac{1}{2}$	$7\frac{1}{2}$	"	7	8	9	
		13	"	10 to 25 "	"	6	7	8	"	$7\frac{1}{2}$	$8\frac{1}{2}$	$9\frac{1}{2}$	
		14	"	25 lbs. up	"	$5\frac{1}{2}$	$6\frac{1}{2}$	$7\frac{1}{2}$	"	7	8	9	
3	Cusk	1	Drawn	All	"	$7\frac{1}{2}$	$8\frac{1}{2}$	$9\frac{1}{2}$	"	$9\frac{1}{2}$	$10\frac{1}{2}$	$11\frac{1}{2}$	
		2	Fillets	"	"	$20\frac{1}{2}$	$22\frac{1}{2}$	$23\frac{1}{2}$	"	$25\frac{1}{2}$	$27\frac{1}{2}$	$28\frac{1}{2}$	
		3	Dressed	"	"	$9\frac{1}{2}$	$10\frac{1}{2}$	$11\frac{1}{2}$	"	12	14	15	
4	Blackback	1	Round	"	Apr-Nov	8	9	10	Dec-Mar	$11\frac{1}{2}$	$12\frac{1}{2}$	$13\frac{1}{2}$	
		2	Dressed	"	"	$11\frac{1}{2}$	13	14	"	15	17	18	
		3	Fillets	"	"	$24\frac{1}{2}$	$26\frac{1}{2}$	$27\frac{1}{2}$	"	31	34	35	
5	Dab, sea	1	Round	"	Apr-Sept	$5\frac{1}{2}$	$6\frac{1}{2}$	$7\frac{1}{2}$	Oct-Mar	$7\frac{1}{2}$	$8\frac{1}{2}$	$9\frac{1}{2}$	
		2	Dressed	"	"	$8\frac{1}{2}$	$9\frac{1}{2}$	$10\frac{1}{2}$	"	11	12	13	
		3	Fillets	"	"	$24\frac{1}{2}$	$26\frac{1}{2}$	$27\frac{1}{2}$	"	$31\frac{1}{2}$	34	35	

NOTE: For explanation of asterisk see page 15.

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)* (Cont'd)
 Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table		
						B	C	D		B	C	D
6	Yellowtail	1	Round	All	Apr-Sept	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	Oct-Mar	7 ¹ / ₂	8 ¹ / ₂	9 ¹ / ₂
		2	Dressed	"	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂	"	11 ¹ / ₂	12 ¹ / ₂	13 ¹ / ₂
		3	Fillets	"	"	24 ¹ / ₂	26 ¹ / ₂	27 ¹ / ₂	"	31 ¹ / ₂	34	35
7	Haddock	1	Drawn	Over 2 ¹ / ₂ lbs.	"	9	10	11	"	11	12 ¹ / ₂	13 ¹ / ₂
		2	"	Under 2 ¹ / ₂ "	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂	"	10 ¹ / ₂	12	13
		3	Round	" 1 ¹ / ₂ "	"	4	5	6	"	5	6	7
		4	Fillets	All	"	24	26	27	"	28 ¹ / ₂	30 ¹ / ₂	31 ¹ / ₂
		5	Dressed	Over 2 ¹ / ₂ lbs.	"	11 ¹ / ₂	12 ¹ / ₂	13 ¹ / ₂	"	13 ¹ / ₂	15 ¹ / ₂	16 ¹ / ₂
		6	Round	1 ¹ / ₂ to 2 ¹ / ₂ "	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	"	7 ¹ / ₂	8 ¹ / ₂	9 ¹ / ₂
		7	"	2 ¹ / ₂ lbs. up	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	"	7 ¹ / ₂	8 ¹ / ₂	9 ¹ / ₂
8	Hake	1	Dressed	Under 2 ¹ / ₂ lbs.	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂
		2	"	Over 2 ¹ / ₂ lbs.	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂	"	10 ¹ / ₂	12	13
		3	Round	Under 1 ¹ / ₂ "	"	4	5	6	"	5	6	7
		4	Fillets	All	"	20	21 ¹ / ₂	22 ¹ / ₂	"	24	26	27
		5	Round	1 ¹ / ₂ to 2 ¹ / ₂ lbs.	"	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂
		6	"	2 ¹ / ₂ lbs. up	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂
9	Hake, mud	1	"	All	"	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂
		2	Drawn	"	"	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂
10	Herring	1	Round	"	All	2 ¹ / ₂	3 ¹ / ₂	4 ¹ / ₂	"	-	-	-
11	Pollock	1	Drawn	"	Apr-Nov	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	Dec-Mar	9	10	11
		2	Round	Over 2 ¹ / ₂ lbs.	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	"	8	9	10
		3	"	1 ¹ / ₂ to 2 ¹ / ₂ lbs.	"	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂	"	7	8	9
		4	Fillets	All	"	16	17 ¹ / ₂	18 ¹ / ₂	"	21	23	24
		5	Dressed	"	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂	"	11 ¹ / ₂	12 ¹ / ₂	13 ¹ / ₂
		6	Round	Under 1 ¹ / ₂ lbs.	"	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂
12	Rosefish	1	"	All	Apr-Sept	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	Oct-Mar	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂
		2	Fillets	"	"	20	21 ¹ / ₂	22 ¹ / ₂	"	22	24	25
13	Sole, gray	1	Round	"	"	9 ¹ / ₂	10 ¹ / ₂	11 ¹ / ₂	"	11 ¹ / ₂	13	14
		2	Fillets	"	"	37/34	36 ¹ / ₂	37 ¹ / ₂	"	37/40 ¹ / ₂	43 ¹ / ₂	44 ¹ / ₂
14	" lemon	1	Round	"	"	10 ¹ / ₂	12	13	"	18 ¹ / ₂	20	21
		2	Fillets	"	"	37/38 ¹ / ₂	40 ¹ / ₂	41 ¹ / ₂	"	37/64	67	68
15	Whiting	1	Round	"	May-Oct	3 ¹ / ₂	4 ¹ / ₂	5 ¹ / ₂	Nov-Apr	4 ¹ / ₂	5 ¹ / ₂	6 ¹ / ₂
		2	Dressed	"	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	"	7 ¹ / ₂	8 ¹ / ₂	9 ¹ / ₂
		3	Regular fillets	"	"	15 ¹ / ₂	16 ¹ / ₂	17 ¹ / ₂	"	16 ¹ / ₂	18 ¹ / ₂	19 ¹ / ₂
		4	Butterfly fillets	"	"	15	16 ¹ / ₂	17 ¹ / ₂	"	16 ¹ / ₂	17 ¹ / ₂	18 ¹ / ₂
		5	Dressed & skinned	"	"	14	15 ¹ / ₂	16 ¹ / ₂	"	15	16 ¹ / ₂	17 ¹ / ₂
		6	Dressed & scaled	"	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	"	7 ¹ / ₂	8 ¹ / ₂	9 ¹ / ₂
16	Wolffish	1	Drawn	"	Apr-Sept	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	Oct-Mar	9 ¹ / ₂	10 ¹ / ₂	11 ¹ / ₂
		2	Dressed	"	"	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂	"	12 ¹ / ₂	14	15
		3	" & skinned	"	"	16	17 ¹ / ₂	18 ¹ / ₂	"	23 ¹ / ₂	25 ¹ / ₂	26 ¹ / ₂
		4	Fillets	"	"	22	24	25	"	31 ¹ / ₂	33 ¹ / ₂	34 ¹ / ₂
17	Scallops, sea	1	Meats	-	"	33 ¹ / ₂	36 ¹ / ₂	37 ¹ / ₂	"	41 ¹ / ₂	44 ¹ / ₂	45 ¹ / ₂
18	Scallops, bay	1	"	-	All	49 ¹ / ₂	52 ¹ / ₂	53 ¹ / ₂	-	-	-	-
19	Swordfish	1	Dressed	All	"	33 ¹ / ₂	36 ¹ / ₂	37 ¹ / ₂	-	-	-	-
		2	Cuts-center	"	"	36	38 ¹ / ₂	39 ¹ / ₂	-	-	-	-
		3	" -head	"	"	33	35 ¹ / ₂	36 ¹ / ₂	-	-	-	-
		4	" -tail	"	"	33	35 ¹ / ₂	36 ¹ / ₂	-	-	-	-
		5	Steaks-indiv.	-	"	47	50	51	-	-	-	-
20	Cod, true (Pac. Coast)	1	Round	All	May-Aug	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂	Sept-Apr	8 ¹ / ₂	9 ¹ / ₂	10 ¹ / ₂
		2	Dressed	"	"	8	9	10	"	10 ¹ / ₂	12 ¹ / ₂	13 ¹ / ₂
		3	Fillets	"	"	17 ¹ / ₂	19 ¹ / ₂	20 ¹ / ₂	"	22 ¹ / ₂	24 ¹ / ₂	25 ¹ / ₂
21	(Table A only)											
22	Flounder (Pac. Coast)	1	Round	"	"	5 ¹ / ₂	6 ¹ / ₂	7 ¹ / ₂	"	6 ¹ / ₂	7 ¹ / ₂	8 ¹ / ₂
		2	Dressed	"	"	8	9	10	"	9 ¹ / ₂	10 ¹ / ₂	11 ¹ / ₂
		3	Fillets	"	"	22	24	25	"	26 ¹ / ₂	28 ¹ / ₂	29 ¹ / ₂
23	Halibut	1	Dressed	5 to 10 lbs.	All	39/18 ¹ / ₂	20	21	-	-	-	-
		2	"	10 to 60 "	"	39/20	21 ¹ / ₂	22 ¹ / ₂	-	-	-	-
		3	"	Over 60 "	"	39/18 ¹ / ₂	20	21	-	-	-	-
		4	Steaks	All	"	39/25 ¹ / ₂	27 ¹ / ₂	28 ¹ / ₂	-	-	-	-

NOTE: For footnotes see page 15.

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)* (Cont'd)
Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table		
						B	C	D		B	C	D
24	Lingcod (Pac. Coast)	1	Dressed	All	May-Aug	10	11	12	Sept-Apr	12	13	14
25	Rock cod or red cod (Pac. Coast)	2	Filletlets	"	"	22	24	25	"	26	28	29
		1	Round	"	"	5	6	7	"	6	7	8
		2	Dressed	"	"	9	10	11	"	11	12	13
26	Sablefish	3	Filletlets	"	"	21	23	24	"	25	27	28
		1	Round	"	All	10	12	13	"	"	"	"
		2	Dressed	"	"	14	15	16	"	"	"	"
		3	Filletlets	"	"	27	29	30	"	"	"	"
		4	Steaks	"	"	18	20	21	"	"	"	"
27	Salmon, (Pac. Coast)											
	Chinook or king, troll caught <u>21</u>											
	Red meated	1	Drawn	14 lbs. & over	Jan-Mar	27	29	30	Apr-Dec	25	27	28
	"	2	"	Under 14 lbs.	"	25	27	28	"	20	22	23
	White	3	"	All	All	16	18	19	"	"	"	"
	Red	4	Dressed	12 lbs. & over	Jan-Mar	30	32	33	Apr-Dec	27	29	30
	"	5	"	Under 12 lbs.	"	27	29	30	"	24	26	27
	White	6	"	All	All	18	19	20	"	"	"	"
	Red	7	Steaks	"	Jan-Mar	34	36	37	Apr-Dec	29	31	32
	White	8	"	"	All	21	23	24	"	"	"	"
	Red	9	Round	16 lbs. & over	Jan-Mar	22	24	25	Apr-Dec	20	22	23
	"	10	"	Under 16 lbs.	"	20	22	23	"	17	19	20
	White	11	"	All	All	14	15	16	"	"	"	"
28	Silver, troll caught <u>21</u>	1	Drawn	"	"	19	20	21	"	"	"	"
		2	Dressed	"	"	21	23	24	"	"	"	"
		3	Steaks	"	"	24	26	27	"	"	"	"
29	Silver, seine caught <u>23/21</u>	4	Round	"	"	16	17	18	"	"	"	"
		1	"	"	June-July	10	11	12	Aug	11	12	13
		2	Drawn	"	"	11	13	14	Sept-Dec	15	16	17
		3	Dressed	"	"	13	14	15	Aug	13	14	15
		4	Steaks	"	"	16	17	18	Sept-Dec	14	16	17
29A	Silver, seine caught <u>21/21</u>	1	Round	"	Aug-Dec	12	14	15	Aug	18	19	20
		2	Drawn	"	"	14	16	17	Sept-Dec	23	25	26
		3	Dressed	"	"	16	17	18	"	"	"	"
29B	Silver, seine caught <u>24/21</u>	4	Steaks	"	"	20	21	22	"	"	"	"
		1	Round	"	"	12	13	14	"	"	"	"
		2	Drawn	"	"	14	15	16	"	"	"	"
		3	Dressed	"	"	15	17	18	"	"	"	"
		4	Steaks	"	"	19	20	21	"	"	"	"
30	Fall, seine caught <u>21</u>	1	Round	"	June-Dec	11	12	13	"	"	"	"
		2	Drawn	"	"	12	14	15	"	"	"	"
		3	Dressed	"	"	14	16	17	"	"	"	"
30A	Fall, seine caught <u>21</u>	4	Steaks	"	"	17	19	20	"	"	"	"
30B		1	Round	"	Sept-Dec	7	8	9	"	"	"	"
		2	Drawn	"	"	8	9	10	"	"	"	"
		3	Dressed	"	"	9	10	11	"	"	"	"
31	Pink, seine caught <u>21</u>	4	Steaks	"	"	10	11	12	"	"	"	"
		1	Round	"	June-Dec	12	13	14	"	"	"	"
		2	Drawn	"	"	8	9	10	"	"	"	"
		3	Dressed	"	"	9	10	11	"	"	"	"
32	Sockeye or blueback, seine caught <u>21</u>	4	Filletlets	"	"	10	11	12	"	"	"	"
		1	Round	"	"	16	17	18	"	"	"	"
		2	Dressed	"	"	19	21	22	"	"	"	"
33, 34 & 34A	Chinook or king <u>21</u>	1	Round	"	Aug-Sept	25	27	28	"	"	"	"
		2	Dressed	"	Jan-Mar	22	24	25	Apr-Dec	17	19	20
		3	Drawn	"	"	30	32	33	"	22	24	25
		4	Steaks	"	"	27	29	30	"	20	22	23
34B	Chinook or king <u>21</u>	1	Round	"	"	34	36	37	"	26	28	29
						14	15	16	Mar-June	17	19	20
									Nov-Feb	20	22	23

NOTE: For footnotes see page 15.

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)* (Cont'd)
 Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table		
						B	C	D		B	C	D
34B	Salmon (Cont.) Chinook or king ^{2/} (Cont.)	2	Dressed	All	Aug-Sept	19½	21	22	Mar-June Nov-Feb	22½	24½	25½
35	Steelhead ^{2/}	1	Round	"	Jan-Mar	14½	16	17	Apr-May June-Dec	6	7	8
		2	Dressed	"	"	18½	20½	21½	Apr-May June-Dec	7½	8½	9½
		3	Drawn	"	"	16½	18½	19½	Apr-May	7	8	9
		4	Steaks	"	"	21½	23½	24½	"	10½	12	13
36	Smelt, silver (Pac. Coast) Sole, (Pac. Coast)	1	Round	"	May-Aug	10½	12	13	Sept-Apr	13	14½	15½
37	Dover	1	"	"	"	5½	6½	7½	"	6½	7½	8½
		2	Dressed	"	"	7	8	9	"	8½	9½	10½
		3	Skinned	"	"	9	10	11	"	10½	12	13
		4	Filletts	"	"	22	24	25	"	26½	28½	29½
38	English	1	Round	13 in. & over	"	6½	7½	8½	"	7½	8½	9½
		2	"	11½ to 13 in.	"	5	6	7	"	6	7	8
		3	Dressed	13 in. & over	"	8½	9½	10½	"	9½	10½	11½
		4	"	11½ to 13 in.	"	6½	7½	8½	"	7½	8½	9½
		5	Skinned	All	"	9½	10½	11½	"	11	12½	13½
		6	Filletts	"	"	22½	24½	25½	"	25½	27½	28½
39	Petrals	1	Round	"	"	7	8	9	"	8	9	10
		2	Dressed	"	"	9	10	11	"	10½	11½	12½
		3	Skinned	"	"	11½	12½	13½	"	13	14½	15½
		4	Filletts	"	"	24	26	27	"	27	29	30
40	(Table A only)											
41	Sole, sand	1	Round	"	"	6	7	8	"	7	8	9
		2	Dressed	"	"	7½	8½	9½	"	9	10	11
		3	Skinned	"	"	9½	10½	11½	"	11½	12½	13½
		4	Filletts	"	"	22	24	25	"	25	27	28
42	Turbot	1	Round	"	"	5½	6½	7½	"	6½	7½	8½
		2	Dressed	"	"	7	8	9	"	8½	9½	10½
		3	Skinned	"	"	9	10	11	"	10½	12	13
		4	Filletts	"	"	22	24	25	"	26	28	29
43	Albacore (Pac. Coast)	1	Round	"	All	20½	22½	23½	-	-	-	-
		2	Drawn	"	"	24½	26½	27½	-	-	-	-
		3	Dressed	"	"	28	30	31	-	-	-	-
		4	Cuts-center	"	"	30½	32½	33½	-	-	-	-
		5	" -tail	"	"	27½	29½	30½	-	-	-	-
		6	" -head	"	"	27½	29½	30½	-	-	-	-
		7	Steaks	"	"	33½	36	37	-	-	-	-
		8	Filletts	"	"	43½	46½	47½	-	-	-	-
44	Yellowfin tuna (Pac. Coast)	1	Round	"	"	14½	16	17	-	-	-	-
		2	Drawn	"	"	17	18½	19½	-	-	-	-
		3	Dressed	"	"	19½	20½	21½	-	-	-	-
		4	Cuts-center	"	"	21	23	24	-	-	-	-
		5	" -tail	"	"	19	20½	21½	-	-	-	-
		6	" -head	"	"	19	20½	21½	-	-	-	-
		7	Steaks	"	"	23½	25½	26½	-	-	-	-
		8	Filletts	"	"	29½	31½	32½	-	-	-	-
45	Bluefin	1	Round	"	"	14	15½	16½	-	-	-	-
		2	Drawn	"	"	16½	17½	18½	-	-	-	-
		3	Dressed	"	"	18½	20	21	-	-	-	-
		4	Cuts-center	"	"	20½	22½	23½	-	-	-	-
		5	" -tail	"	"	18½	19½	20½	-	-	-	-
		6	" -head	"	"	18½	19½	20½	-	-	-	-
		7	Steaks	"	"	22½	24½	25½	-	-	-	-
		8	Filletts	"	"	28½	30½	31½	-	-	-	-
46	Skipjack (striped tuna) (Pac. Coast)	1	Round	"	"	13½	15	16	-	-	-	-
		2	Drawn	"	"	15½	17½	18½	-	-	-	-
		3	Dressed	"	"	18	19	20	-	-	-	-
		4	Cuts-center	"	"	19½	21½	22½	-	-	-	-
		5	" -tail	"	"	17½	19½	20½	-	-	-	-
		6	" -head	"	"	17½	19½	20½	-	-	-	-

NOTE: For footnotes see page 15.

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)* (Cont'd)
Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table		
						B	C	D		B	C	D
46	Skipjack (Cont.)	7	Steaks	All	All	22	24	25	-	-	-	-
		8	Fillets	"	"	27 $\frac{1}{2}$	29 $\frac{1}{2}$	30 $\frac{1}{2}$	-	-	-	-
47	Bonito (Pac. Coast)	1	Round	"	"	11 $\frac{1}{2}$	13 $\frac{1}{2}$	14 $\frac{1}{2}$	-	-	-	-
		2	Drawn	"	"	14 $\frac{1}{2}$	15 $\frac{1}{2}$	16 $\frac{1}{2}$	-	-	-	-
		3	Dressed	"	"	16 $\frac{1}{2}$	17 $\frac{1}{2}$	18 $\frac{1}{2}$	-	-	-	-
		4	Cuts-center	"	"	17 $\frac{1}{2}$	19 $\frac{1}{2}$	20 $\frac{1}{2}$	-	-	-	-
		5	" -tail	"	"	16	17 $\frac{1}{2}$	18 $\frac{1}{2}$	-	-	-	-
		6	" -head	"	"	16	17 $\frac{1}{2}$	18 $\frac{1}{2}$	-	-	-	-
		7	Steaks	"	"	20	21 $\frac{1}{2}$	22 $\frac{1}{2}$	-	-	-	-
		8	Fillets	"	"	25	27	28	-	-	-	-
48	Yellowtail (Pac. Coast)	1	Round	"	"	11 $\frac{1}{2}$	12 $\frac{1}{2}$	13 $\frac{1}{2}$	-	-	-	-
		2	Drawn	"	"	13 $\frac{1}{2}$	15 $\frac{1}{2}$	16 $\frac{1}{2}$	-	-	-	-
		3	Dressed	"	"	15 $\frac{1}{2}$	17	18	-	-	-	-
		4	Cuts-center	"	"	17	18 $\frac{1}{2}$	19 $\frac{1}{2}$	-	-	-	-
		5	" -tail	"	"	15 $\frac{1}{2}$	16 $\frac{1}{2}$	17 $\frac{1}{2}$	-	-	-	-
		6	" -head	"	"	15 $\frac{1}{2}$	16 $\frac{1}{2}$	17 $\frac{1}{2}$	-	-	-	-
		7	Steaks	"	"	19 $\frac{1}{2}$	20 $\frac{1}{2}$	21 $\frac{1}{2}$	-	-	-	-
		8	Fillets	"	"	24	26	27	-	-	-	-
49, 50	(Table A only)											
51	Whitefish-- Canadian 21/22/35/36/	1	Rd or gutted	Under 4 lbs.	"	18 $\frac{1}{2}$	20	21	-	-	-	-
		2	" " "	4 lbs. & over	"	22 $\frac{1}{2}$	24 $\frac{1}{2}$	25 $\frac{1}{2}$	-	-	-	-
		3	Fillets	All	"	35 $\frac{1}{2}$	38	39	-	-	-	-
52	Tullibee-- Canadian 21/22/35/36/	1	Round	"	"	7 $\frac{1}{2}$	8 $\frac{1}{2}$	9 $\frac{1}{2}$	-	-	-	-
		2	Gutted	"	"	8 $\frac{1}{2}$	9 $\frac{1}{2}$	10 $\frac{1}{2}$	-	-	-	-
53	Lake trout-- Canadian 21/22/35/36/	1	Round or gutted	"	"	19 $\frac{1}{2}$	21	22	-	-	-	-
		2	Fillets	"	"	37 $\frac{1}{2}$	40	41	-	-	-	-
54	Yellow pike-- Canadian 21/22/35/36/ (Yellow or Wall-eyed pike)	1	Round or gutted	"	"	14 $\frac{1}{2}$	16	17	-	-	-	-
		2	Headless and gutted	"	"	17 $\frac{1}{2}$	19	20	-	-	-	-
		3	Fillets	"	"	34	36 $\frac{1}{2}$	37 $\frac{1}{2}$	-	-	-	-
55	Sucker-- Canadian (Fresh-water mullet) 21/22/35/36/	1	Round	"	"	4 $\frac{1}{2}$	5 $\frac{1}{2}$	6 $\frac{1}{2}$	-	-	-	-
		2	Fillets	"	"	16 $\frac{1}{2}$	18	19	-	-	-	-
56	Yellow pike (Yellow or Wall-eyed pike) other 21/22/	1	Round	"	"	14 $\frac{1}{2}$	16	17	-	-	-	-
		2	Gutted	"	"	13 $\frac{1}{2}$	15	16	-	-	-	-
		3	Headed and gutted	"	"	17 $\frac{1}{2}$	19	20	-	-	-	-
		4	Fillets	"	"	43	46	47	-	-	-	-
57	Pickarel-- Canadian (Jacks, Great Northern pike or Grass pike) 21/22/35/36/1	1	Round	"	"	7	8	9	-	-	-	-
		2	Headless and gutted	"	"	9 $\frac{1}{2}$	10 $\frac{1}{2}$	11 $\frac{1}{2}$	-	-	-	-
		3	Fillets	"	"	18 $\frac{1}{2}$	20 $\frac{1}{2}$	21 $\frac{1}{2}$	-	-	-	-
58	Deleted (Amit. 28)											
59	Sauger-- Can. (Sand pike) 21/22/35/	1	Round	"	"	11	12	13	-	-	-	-
		2	Headless and gutted	"	"	14	15 $\frac{1}{2}$	16 $\frac{1}{2}$	-	-	-	-
		3	Fillets	"	"	27	29	30	-	-	-	-
60	Yellow perch-- Canadian 21/22/35/36/	1	Round	"	"	13	14 $\frac{1}{2}$	15 $\frac{1}{2}$	-	-	-	-
61	Shrimp and prawn 30/	1	Head on	Under 9 per lb.	"	16 $\frac{1}{2}$	17 $\frac{1}{2}$	18 $\frac{1}{2}$	-	-	-	-
		2	" "	Over 9-12 per lb.	"	14 $\frac{1}{2}$	15 $\frac{1}{2}$	16 $\frac{1}{2}$	-	-	-	-
		3	" "	" 12-15	" " "	12 $\frac{1}{2}$	13 $\frac{1}{2}$	14 $\frac{1}{2}$	-	-	-	-
		4	" "	" 15-18	" " "	10 $\frac{1}{2}$	11 $\frac{1}{2}$	12 $\frac{1}{2}$	-	-	-	-
		5	" "	" 18-25	" " "	8 $\frac{1}{2}$	9 $\frac{1}{2}$	10 $\frac{1}{2}$	-	-	-	-
		6	" "	" 25-39	" " "	7 $\frac{1}{2}$	8 $\frac{1}{2}$	9 $\frac{1}{2}$	-	-	-	-
		7	" "	" 39	" " "	5 $\frac{1}{2}$	6 $\frac{1}{2}$	7 $\frac{1}{2}$	-	-	-	-

NOTE: For footnotes see page 15.

MAXIMUM PRICES FOR SALES OF FRESH FISH AND SEAFOOD (OTHER THAN PRODUCER AND RETAIL)* (Cont'd)
Prices in Cents Per Pound

Sched. No.	Species	Item No.	Style of dressing	Size	Months	Price Table			Months	Price Table		
						B	C	D		B	C	D
61	Shrimp and prawn ^{30/} (Cont.)	8	Headless	Under 15 per lb.	All	33	35	38	-	-	-	-
		9	"	15-20 per lb.	"	28	30	32	-	-	-	-
		10	"	21-25	"	24	26	28	-	-	-	-
		11	"	26-30	"	21	23	25	-	-	-	-
		12	"	31-42	"	19	20	22	-	-	-	-
		13	"	43-65	"	16	18	19	-	-	-	-
		14	"	66 & over	"	14	15	17	-	-	-	-
		15	Peeled	Under 18	"	41	44	47	-	-	-	-
		16	"	18-25	"	36	38	41	-	-	-	-
		17	"	26-31	"	32	34	37	-	-	-	-
		18	"	32-37	"	28	30	32	-	-	-	-
		19	"	38-51	"	25	27	29	-	-	-	-
		20	"	52-80	"	21	23	25	-	-	-	-
		21	"	81 & over	"	18	20	21	-	-	-	-
		22	" and veined	Under 20	"	48	51	54	-	-	-	-
		23	"	20-27	"	42	45	48	-	-	-	-
		24	"	28-33	"	37	40	42	-	-	-	-
		25	"	34-40	"	33	35	38	-	-	-	-
		26	"	41-56	"	29	31	33	-	-	-	-
		27	"	57-86	"	26	28	30	-	-	-	-
		28	"	87 & over	"	23	25	27	-	-	-	-
		29	Headless & veined	Under 16	"	36	39	41	-	-	-	-
		30	"	16-21	"	31	34	36	-	-	-	-
		31	"	22-27	"	28	30	32	-	-	-	-
		32	"	28-32	"	24	26	28	-	-	-	-
		33	"	33-45	"	21	23	25	-	-	-	-
		34	"	46-69	"	19	20	22	-	-	-	-
		35	"	70 & over	"	16	18	19	-	-	-	-
62	Lake herring ^{31/}	1	Round	All	Oct-Dec	5	6	8	-	-	-	-
		2	Gutted	"	"	7	8	10	-	-	-	-
		3	Headed & gutted	"	"	8	10	11	-	-	-	-
		4	" & scaled	"	"	9	11	12	-	-	-	-
		5	Filletts	"	"	15	17	19	-	-	-	-
		6	Boned	"	"	15	17	19	-	-	-	-
63	Lake herring, caught in Saginaw Bay	1	Round	"	"	7	8	10	-	-	-	-
		2	Gutted	"	"	10	11	13	-	-	-	-
		3	Headed & gutted	"	"	8	10	11	-	-	-	-
		4	" & scaled	"	"	9	11	12	-	-	-	-
		5	Filletts	"	"	15	17	19	-	-	-	-
		6	Boned	"	"	15	17	19	-	-	-	-
64	Ocean pout	1	Round	"	All	4	5	6	-	-	-	-
		2	Filletts	"	"	18	19	20	-	-	-	-
65	Rajafish	1	Round	"	"	2	3	4	-	-	-	-
		2	Saddles	"	"	3	4	5	-	-	-	-
		3	Wings	"	"	4	5	6	-	-	-	-

* Table B--Maximum Prices for Primary Fish Shipper Sales of Fresh Fish and Seafood.^{14/}

Table C--Maximum Prices for Retailer-Owned Cooperative Sales and Sales by Wholesalers Other Than

Primary Fish Shipper Wholesalers to Other Wholesalers or Fresh Fish and Seafood.^{15/}

Table D--Maximum Prices for Cash and Carry Sales of Fresh Fish and Seafood.^{16/}

^{14/} All footnotes applicable to particular species of fish in Table A, except footnotes 26, 28, and 29 are also applicable to the same species in Table B. (Amdts. 1, 7, and 8)

^{15/} All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28, and 29; and footnotes 21, 22, 27, 37, and 39 made applicable to particular species of fish in Table B are also applicable to the same species in Table C in section 20. (Amdts. 1, 6, 7, 8, 29, 30, and 32)

^{16/} All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28, and 29; footnotes 21, 22, 27, 37, and 39 made applicable to particular species of fish in Table B; and footnote 30 made applicable to particular species of seafood in Table C are also applicable to the same species in Table D in section 20. (Amdts. 1, 6, 7, 8, 11, 29, 30, and 32)

^{17/} Eliminated. (Amit. 32)

^{21/} These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lakes Superior, Huron, Ontario, or Erie. (Amdts. 6, 28, and 32)

- 22/ To these prices may be added duty. Any person who processes this species in a fresh state may add to his selling price the amount which will recover the full amount of the duty which he paid for the particular lot of fish involved in the processing. (Amdts. 6 and 28)
- 27/ When state privilege tax on this species of fish has been customarily paid by the purchaser of the fish, he may continue such payment and amount actually paid may be added to listed maximum price. (Amdt. 7)
- 30/ Prices listed in this table for shrimp and prawn shall not be in effect from September 24, 1943, to September 30, 1943, inclusive (Table C only). (Amdt. 11)
- 34/ For sale of this item by a retailer-owned cooperative, it may add $1\frac{1}{2}$ cents to the maximum prices listed. (Amdt. 17)
- 35/ Notwithstanding the heading of Table B, these prices are the maximum prices at which a person who imports or any agent of a foreign consignor may sell to other wholesalers regardless of whether he bought the fish from a producer or a foreign wholesaler. (Amdt. 28)
- 36/ Notwithstanding the heading of Table C, these prices do not apply to sales by an importer or any agent of a foreign consignor regardless of whether he bought the fish from a producer or a foreign wholesaler. (Amdt. 28)
- 37/ Ceiling prices listed for these fillets apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable ceiling prices are those listed for Item No. 3 of Schedule No. 6. (Amdt. 30)
- 39/ Deduct the following amounts for sales of steaks processed from halibut landed in the following Alaskan ports: Ketchikan, 4 cents; Wrangell and Petersburg, $4\frac{1}{2}$ cents; Juneau, Sitka, and Pelican City, $4\frac{3}{4}$ cents; Port Williams, $5\frac{1}{4}$ cents. For sales of steaks processed from halibut landed in any other port in Alaska, deduct the amount specified for the nearest port listed.
For sales of steaks processed from halibut landed on the Atlantic Coast, add $2\frac{1}{4}$ cents.
For sales of steaks processed from halibut landed on the Pacific Coast of Canada, deduct $3\frac{1}{4}$ cents. (Amdts. 29 and 31)

LIST OF SPECIES COVERED BY MFR-418

Schedule No.	Name	
	Common	Scientific
1	Alewives	Pomolobus pseudoharengus
2	Codfish	Gadus callarias
3	Cusk	Brosme brosme
4	Blackback	Pseudopleuronectes americanus
5	Dab, sea	Hippoglossoides platessoides
6	Yellowtail	Limanda ferruginea
7	Haddock	Melanogrammus aeglefinus
8	Hake	Urophycis species
9	" , mud	-
10	Herring	Clupea harengus
11	Pollock	Pollachius virens
12	Rosefish	Sebastes marinus
13	Sole, gray	Glyptocephalus cynoglossus
14	" , lemon	Pseudopleuronectes dignabilis
15	Whiting	Merluccius bilinearis
16	Wolfish	Anarhichas lupus
17	Scallops, sea	Pecten magellanicus
18	" , bay	Pecten irradians, Chlamys hindsii, Chlamys hercicus
19	Swordfish	Xiphias gladius
20	Cod, true (Pacific Coast)	-
21	Crabs (Pacific Coast)	-
22	Flounder (Pacific Coast)	-
23	Halibut	Hippoglossus hippoglossus
24	Lingcod (Pacific Coast)	Ophiodon elongatus
25	Red cod (rock cod)	Sebastes species
26	Sablefish	Anoplopoma fimbria
	Salmon (Pacific Coast):	
27, 33, 34, 34A, 34B	Chinook or king	Oncorhynchus tshawytscha
28, 29, 29A, 29B	Silver	Oncorhynchus kisutch
30, 30A, 30B	Fall	Oncorhynchus keta
31	Pink	Oncorhynchus gorbuscha
32	Sockeye	Oncorhynchus nerka
35	Steelhead	Salmo gairdnerii
36	Smelt, silver (Pacific Coast)	-
	Sole (Pacific Coast):	
37	Dover	-
38	English	-
39	Petrals	-
40	Rex	-
41	Sand	-

LIST OF SPECIES COVERED BY MPR-418 (Cont'd.)

Schedule No.	Name	
	Common	Scientific
42	Turbot (Pacific Coast)	-
43	Albacore (Pacific Coast)	-
44	Yellowfin tuna (Pacific Coast)	-
45	Bluefin	-
46	Skipjack (striped tuna) (Pacific Coast)	-
47	Bonito (Pacific Coast)	-
48	Yellowtail (Pacific Coast)	-
49, 50	Pilchards	Sardinia caerulea
51, 52	Whitefish - Selkirk	Coregonus clupeiformis
53	Lake trout	Cristivomer namaycush
54, 55, 56	Yellow pike (yellow or wall-eyed pike)	Stizostedion vitreum vitreum
57, 58	Pickarel (jacks, Great Northern pike or grass pike)	Esoc lucius
59	Sauger (sand pike)	Stizostedion canadense
60	Yellow perch	Perca flavescens
61	Shrimp and prawn	
62, 63	Lake herring	Leucichthys artedii
64	Ocean pout (Conger eel or eelpout)	Zoarces anguillaris, Leptocephalus conger
65	Rajafish (skates)	Raja

REGIONAL PRICES

As Authorized Under Amendment 22, MPR-418

[Region VIII Order G-3 Under MPR 418, Amdt. 1]

SMELT IN SAN FRANCISCO REGION

Order No. G-3 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of the Office of Price Administration by section 20 (a) of Maximum Price Regulation No. 418, as amended, It is hereby ordered:

(a) The maximum prices for sales of smelt (Eulachon or Thaleichthys Pacificus) in Region VIII of the Office of Price Administration shall be as follows:

	Name	Style of dressing	Size	Price in cents (Bulk ex-vessel)	Per pounds (cents) (board)
Table A: Producers	Smelt	Round	All	3½	8
Table B: Primary fish shipper sales	Smelt	Round	All	6½	8
Table C: Retailer owner cooperative sales	Smelt	Round	All	8	8
Table D: Cash and carry sales	Smelt	Round	All	9	9

(b) All other provisions of Maximum Price Regulation No. 418, as amended, shall be applicable to such sales unless the context clearly requires otherwise.

(c) Definition of Region VIII. "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai,

Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective January 25, 1944.

Issued this 20th day of January 1944.

Amendment No. 1 shall become effective 8:00 o'clock p. m., February 19, 1944.

Issued this 16th day of February 1944.

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

Order No. G-4 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Adminis-

tration by section 20 (a) of Maximum Price Regulation No. 418, as amended, It is hereby ordered:

(a) The maximum prices for sales of salmon, seine caught (Pacific Coast) sockeye (blueback) (Oncorhynchus Nerka) in Region VIII of the Office of Price Administration shall be as follows:

Item No.	Style of dressing	Size	Price per pound Apr. 15 to June 1
Table A	1 Round	All	Cents 15
Table B	1 Round	All	19½
Table C	2 Dressed	All	25½
Table D	1 Round	All	21
Table E	2 Dressed	All	27½
Table F	1 Round	All	22
Table G	2 Dressed	All	28½

¹ The maximum prices listed for this species of fish apply only when it is delivered ex-vessel Nash Bay, Washington, and the fishing grounds of all waters of Oregon and Washington.² When the State Privilege Tax on this species of fish has been customarily paid by the purchaser of the fish, he may continue such payment and the amount actually paid may be added to the listed maximum price.

(b) All other provisions of Maximum Price Regulation No. 418, as amended, shall be applicable to such sales unless the context clearly requires otherwise.

(c) Definition of Region VIII. "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective April 15, 1944.

Issued this 12th day of April 1944.

FRESH FISH IN WASHINGTON

Order No. G-5 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood. Adjusted maximum prices for sales of certain fresh fish items in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (d) of Maximum Price Regulation No. 418, as amended; It is hereby ordered:

(a) Maximum prices for sales by producers of the fresh fish items designated in schedules 27, 28, 29, 29b, and 34a, of Maximum Price Regulation No. 418, as amended, when boxed or barreled, and including all commissions and selling expense, shall be the applicable price set forth in Maximum Price Regulation No. 418, as amended for such fresh fish items plus 1¢ per pound.

(b) Applicability. This order shall apply to listed fresh fish items landed in ports of entry in the State of Washington.

This order shall become effective June 21, 1944.

Issued this 16th day of June 1944.

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

Order No. G-6 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section (d) and section 20 (a) of Maximum Price Regulation No. 418, as amended, it is hereby ordered:

(a) *Listed fresh fish and seafood items.* The items covered by this order, hereafter referred to as "listed fresh fish and seafood items," are: barracuda, California halibut, black sea-bass, white sea-bass (including Mexican sea-bass or totuava), rock bass (including cabrilla), live crab, cooked crab in shell, and crabmeat. This order shall apply to Region VIII of the Office of Price Administration.

(1) *Sales by producers.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table A of Appendix A.

(2) *Sales by primary fish shipper wholesalers—(i) Undelivered.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of Appendix A.

(ii) *Delivered—(a) At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of Appendix A.

(b) *To localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the prices at the basing point port of entry specified in Table B of Appendix A for the particular fresh fish and seafood item, plus freight to the purchaser's place of business. Where more than one basing point port of entry is specified for the same item the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(3) *Sales by wholesalers other than primary fish shipper wholesalers to other wholesalers.* The maximum prices for such sales of listed fresh fish and sea-

food items shall be the applicable prices as set forth in paragraph (a) (2) above plus one cent per pound.

(4) *Sales by all other wholesalers except to other wholesalers—(i) Undelivered—(a) At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table D of Appendix A.

(b) *At localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the maximum prices at the basing point port of entry specified for the particular fresh fish or seafood item plus freight from the basing point port of entry to the wholesaler's place of business. Where more than one basing point port of entry is specified, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing point ports of entry.

(ii) *Delivered—(a) Deliveries by common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above plus actual transportation charges to the premises of the buyer.

(b) *Deliveries by means other than common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above plus a transportation allowance calculated from the wholesaler's place of business as follows:

Deliveries made:	Cents per pound
Within the local delivery zone.....	0.01
Beyond the boundary of local delivery zone but not exceeding 50 miles.....	.015
More than 50 but not exceeding 100 miles.....	.0175
More than 100 but not exceeding 175 miles.....	.02
More than 175 miles.....	.0225

(5) *Additions to maximum prices—(i) Broken-lot charges.* When wholesalers other than primary fish shipper wholesalers pack listed fresh fish or seafood items for shipment to retailers or purveyors of meals in amounts less than 75 pounds, consisting of at least two varieties, a charge of ½ cent per pound may be added to the maximum prices established under subparagraphs (3) and (4) above.

(ii) *Container charges.* When any seller buys listed fresh fish or seafood items in containers, he may add to the maximum prices established for his sales the amount of container charges paid by him, up to one and one-half cents per pound, except that when any seller packs or repacks listed fresh fish or seafood items in containers other than those in which the items were bought by him, he may add to the established maximum prices container charges, computed according to the following table:

Size container (lb.):	Cents allowance
5.....	1 1/2
10.....	1 1/2
15.....	1
20.....	1
50.....	1 1/2
75.....	1 1/2
100.....	1
150.....	3/4
200.....	3/4
250.....	1/2
300.....	1/2

The weight of the fish packed shall be multiplied by the cents allowance for the

container in which the fish is packed, except that when the weight of the fish packed exceeds the weight specified for the particular container, the weight specified for the container shall be multiplied by the cents allowance. For any size container not listed in this section, the maximum charges shall be the charge established for the nearest size container listed. Any seller who processes listed fresh fish or seafood items which he purchased in containers may add to the established maximum prices amounts not to exceed three cents per pound which will enable him to recover the full amount of the container charge paid by him.

(b) *Definitions.* (1) *Barracuda* means all types of barracuda (Sphyraenidae) caught off the Pacific coast.

(2) *California halibut* means those species of the flounder family (Paralichthys californicus) caught off the Pacific Coast including what is commonly called bastard halibut, southern halibut, alabato.

(3) *Black sea-bass* means those fish caught off the Pacific Coast belonging to the sea-bass family (Serranidae) commonly known as jewfish or giant bass.

(4) *White sea-bass* means those fish caught off the Pacific Coast of the species *Cynoscion nobilis* and including those commonly known as Mexican sea-bass, corbina, or totuava (totuaba).

(5) *Rock bass* means those fish caught off the Pacific Coast belonging to the family Serranidae and commonly known as rock bass, kelp bass, sand bass, cabrilla, and Johnny verde.

(6) *Crab* means all crab caught off the Pacific Coast.

(7) *Local delivery zone* for any wholesaler means that area contained within the city limits of the locality where the wholesaler's place of business is located, except that:

(i) The Portland, Oregon, local delivery zone shall include the area within the city limits of Portland, North Portland, and Falmouth, Oregon, and Vancouver, Washington.

(ii) The Oakland, California, local delivery zone shall include the cities of Oakland, Alameda, Berkeley, Emeryville, and Albany, California.

(iii) The Los Angeles, California, local delivery zone shall be that area within a radius of twenty miles from the Los Angeles City Hall, plus that portion of the City of Los Angeles outside such area, except that area included within the San Pedro local delivery zone.

(iv) The San Pedro, California, local delivery zone shall be that area within Los Angeles County south of Roosevelt Highway and the southern boundary of Redondo Beach.

(8) A port of entry shall mean any place at which fish are landed by fishermen, except that in the case of imported fish a port of entry shall mean the place at which the fish enter the United States.

(9) *Freight* means cost of transportation by the cheapest available method of transportation, not to exceed, however, the lowest available common carrier rate. Freight charges may include the actual cost of refrigeration and other protective services, but not local cartage or unloading. The transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(10) *Producer* shall mean any person as defined in section 18 of Article III of Maximum Price Regulation No. 418, as amended, except that in the case of im-

(14) All other terms used in this order shall have the same meaning as set forth in Maximum Price Regulation No. 418, as amended, unless the context clearly otherwise requires.

(c) *General provisions.* The provisions of Maximum Price Regulation No. 418, as amended, contained in section 9 (Sales to Government agencies), section 12 (Relation to other regulations), Article II (Record keeping and enforcement), Article III (Miscellaneous provisions), apply to this order, to the extent that they are applicable.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective May 27, 1944.

Issued this 18th day of May 1944.

ported fish, the importer or the agent of any foreign seller shall be considered to be a producer.

(11) Delivered means physical transportation of any listed fresh fish and seafood item to the premises of the buyer, except in the case of shipment by rail.

(12) Undelivered means any sale other than a delivered sale.

(13) Region VIII of the Office of Price Administration means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

TABLE D—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY WHOLESALERS¹

Item	Style of dressing	Ports of entry ²				
		All ports in southern Calif. ³	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barramunda	Round	\$0.158				
	Drawn	.176				
	Dressed, collars off	.205				
	Fillet	.312				
California halibut	Round	.105				
	Drawn	.205				
	Dressed, collars off	.225				
	Fillet	.247				
Black Sea-bass	Round	.115				
	Drawn	.157				
	Dressed, collars off	.167				
	Fillet	.307				
White Sea-bass	Round	.17				
	Drawn	.176				
	Dressed, collars off	.205				
	Fillet, skin on	.205				
	Fillet, skinless	.35				
Rock bass	Round	.157				
	Drawn	.176				
	Dressed, collars off	.225				
	Fillet	.42				

¹ Prices in cents per pound.

² Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.

³ Basing points for table D: (a) For sales of barramunda and California halibut, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (b) For sales of rock bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (c) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (d) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities in the State of Arizona. (e) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in the State of Arizona. (f) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona.

APPENDIX A
TABLE A—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRODUCERS¹

Item	Style of dressing	Ports of entry ²				
		All ports in southern Calif. ³	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barramunda	Round	\$0.116				
	Drawn	.125				
	Dressed, collars off	.147				
	Fillet	.175				
California halibut	Round	.085				
	Drawn	.11				
	Dressed, collars off	.127				
	Fillet	.153				
Black Sea-bass	Round	.084				
	Drawn	.12				
	Dressed, collars off	.14				
	Fillet	.16				
White Sea-bass	Round	.115				
	Drawn	.125				
	Dressed, collars off	.14				
	Fillet	.17				

¹ Prices per pound.

² Maximum prices for sales of barramunda, for boneless fish a charge of 1¢ per pound may be added to the maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.

³ Basing points for table A: (a) For sales of barramunda and California halibut, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (b) For sales of rock bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (c) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (d) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona. (e) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona. (f) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona.

TABLE B—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY PRIMARY FISH SHIPPERS¹

Item	Style of dressing	Ports of entry ²				
		All ports in California ³	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barramunda	Round	\$0.158				
	Drawn	.176				
	Dressed, collars off	.205				
	Fillet	.312				
California halibut	Round	.105				
	Drawn	.205				
	Dressed, collars off	.225				
	Fillet	.247				
Black Sea-bass	Round	.115				
	Drawn	.157				
	Dressed, collars off	.167				
	Fillet	.307				
White Sea-bass	Round	.17				
	Drawn	.176				
	Dressed, collars off	.205				
	Fillet, skin on	.205				
	Fillet, skinless	.35				
Rock bass	Round	.157				
	Drawn	.176				
	Dressed, collars off	.225				
	Fillet	.42				

¹ Prices in cents per pound.

² Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.

³ Basing points for table B: (a) For sales of barramunda and California halibut, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (b) For sales of rock bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (c) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (d) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona. (e) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona. (f) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities within the State of Arizona.

TABLE A—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRODUCERS¹

Item	Style of dressing	Port of entry ²	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon and Washington ³	\$0.10	\$0.08	\$0.08	\$0.07	\$0.07	\$0.07	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.10
		All in Washington ³					\$1.75 per dozen all months							
		Seattle, Wash., and Portland, Oreg.	\$0.1125	\$0.0925	\$0.0925	\$0.0825	\$0.0825	\$0.0825	\$0.0925	\$0.0925	\$0.0925	\$0.0925	\$0.0925	\$0.1125
		Crecent City, Calif.					\$0.10 all months							
		Eureka, Calif.					.104 all months							
		San Francisco, Calif.					.12 all months							
		Redeja Bay, Calif.					.11 all months							
		Monterey, Calif.					.11 all months							
		Half Moon Bay, Calif.					.11 all months							
		Point Reyes, Calif.					.11 all months							
	Cooked in Shell	All in Oregon and Washington ³	\$0.13	\$0.11	\$0.11	\$0.0975	\$0.0975	\$0.0975	\$0.11	\$0.11	\$0.11	\$0.11	\$0.11	\$0.13
		Seattle, Wash., and Portland, Oreg.	.1475	.125	.125	.1125	.1125	.1125	.125	.125	.125	.125	.125	.1475
		Crecent City, Calif.					\$0.13 all months							
		Eureka, Calif.					.1375 all months							
		San Francisco, Calif.					.135 all months							
		Redeja Bay, Calif.					.1425 all months							
		Monterey, Calif.					.1425 all months							
		Half Moon Bay, Calif.					.1425 all months							
		Point Reyes, Calif.					.1425 all months							

¹ Prices are per pound, except where otherwise indicated. Maximum prices are for sales ex-vessel; for boxed fish a charge of 1¢ per pound may be added to the maximum prices established.

² Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.

³ Except Seattle, Washington, and Portland, Oregon.

TABLE B—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRIMARY FISH SHIPPER WHOLESALEERS¹

Item	Style of dressing	Port of entry ²	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon and Washington ³	\$0.12	\$0.10	\$0.10	\$0.09	\$0.09	\$0.09	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	\$0.12
		Seattle, Wash., and Portland, Oreg.	.1325	.1125	.1125	.1025	.1025	.1025	.1125	.1125	.1125	.1125	.1125	.1325
		Crecent City, Calif.					\$0.12 all months							
		Eureka, Calif.					.125 all months							
		San Francisco, Calif.					.14 all months							
		Monterey, Calif.					.13 all months							
	Cooked in shell	All in Oregon and Washington ³	.155	.135	.135	.1225	.1225	.1225	.135	.135	.135	.135	.135	.155
		Seattle, Wash., and Portland, Oreg.	.1725	.15	.15	.1375	.1375	.1375	.15	.15	.15	.15	.15	.1725
		Crecent City, Calif.					\$0.155 all months							
		Eureka, Calif.					.1625 all months							
		San Francisco, Calif.					.18 all months							
		Monterey, Calif.					.1725 all months							
Crabmeat		All in Oregon and Washington ³					\$0.73 all months							
		Eureka, Calif., Seattle, Wash., and Portland, Oreg.					.76 all months							
		San Francisco, Calif.					.77 all months							

¹ Prices in cents per pound unless otherwise indicated.

² Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.

³ Except Seattle, Washington, and Portland, Oregon.

Note: Basing points for Table B:

(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington, except Klickitat, Wahkiakum, Skamania, and Cowlitz counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.

(b) For sales of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in Region VIII.

TABLE D—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY WHOLESALEERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALEERS¹

Item	Style of dressing	Port of entry ²	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon & Washington ³	\$0.14	\$0.12	\$0.12	\$0.11	\$0.11	\$0.11	\$0.12	\$0.12	\$0.12	\$0.12	\$0.12	\$0.14
		Seattle, Wash. & Portland, Oreg.	.1525	.1325	.1325	.1225	.1225	.1225	.1325	.1325	.1325	.1325	.1325	.1525
		Crecent City, Calif.					\$0.14 all months							
		Eureka, Calif.					.145 all months							
		San Francisco, Calif.					.15 all months							
		Monterey, Calif.					.155 all months							
	Cooked in shell	All in Oregon & Washington ³	.175	.155	.155	.1425	.1425	.1425	.155	.155	.155	.155	.155	.175
		Seattle, Wash. & Portland, Oreg.	.1925	.17	.17	.1575	.1575	.1575	.17	.17	.17	.17	.17	.1925
		Crecent City, Calif.					\$0.175 all months							
		Eureka, Calif.					.1825 all months							
		San Francisco, Calif.					.20 all months							
		Monterey, Calif.					.1925 all months							
Crabmeat		All in Oregon & Washington ³					.83 all months							
		Eureka, Calif., Seattle, Wash., and Portland, Oreg.					.85 all months							
		San Francisco, Calif.					.87 all months							

¹ Prices in cents per pound unless otherwise indicated.

² Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.

³ Except Seattle, Washington, and Portland, Oregon.

Note: Basing points for Table D:

(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington, except Klickitat, Wahkiakum, Skamania, and Cowlitz counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.

(b) For sale of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in Region VIII.

[Region IX Order 3 Under MPR 418]

FRESH FISH IN ALASKA

Order No. 3 under section 2 (d) of Maximum Price Regulation 418, as amended. Fresh fish and seafood. Fresh fish in Alaska. Modification of producers' maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region IX of the Office of Price Administration by section

2 (d) of Maximum Price Regulation 418; It is ordered:

1. On and after the effective date of this order, the maximum prices for producers of fresh fish sold on fishing grounds or receiving stations in and off the Territory of Alaska, shall be the maximum prices established by Table A at the Alaskan port of entry nearest to the grounds or station where delivery of the fish is made to the buyer or the buyer's agent, less the deduction for the applicable species of fish as set forth below:

Schedule No.	Name	Style of dressing	Size	Amount to be deducted (in cents per pound)
24	Ling cod (Pacific Coast).....	Any style.....	All sizes.....	1½
25	Red cod (rock cod) (Pacific Coast).....	Any style.....	All sizes.....	1½
26	Sablefish.....	Any style.....	All sizes.....	1½
27	Salmon, chinook or King (Pacific Coast) troll caught, red-meat.....	Any style.....	14 lb. or over.....	3

For all other fresh fish or species of fresh fish, regardless of size or style of dressing, the amount to be deducted shall be two cents per pound.

2. This Order No. 3 supersedes Order No. 1 and Order No. 2 which are hereby revoked.

3 This order may be revoked or amended at any time.

This Order No. 3 shall become effective July 15, 1944.

Issued this 14th day of July 1944.

MPR-364--FROZEN FISH AND SEAFOOD--AND AMENDMENTS 1 TO 19

The text and this condensation of the tables of MPR-364 and the amendments through July 31, are for ready reference purposes only. Every effort has been made to insure its accuracy, but users are cautioned that the official regulations governing the maximum prices established for the sale of frozen fish and seafood are those contained in the order and amendments listed immediately below:

	Issued	Effective		Issued	Effective
MPR-364	Apr. 7, 1943	Apr. 13, 1943	Amdt. 9 ...	Dec. 17, 1943	Dec. 17, 1943
Amdt. 1	" 26, "	" 26, "	" 10 ...	Jan. 3, 1944	Jan. 8, 1944
" 2	June 4, "	June 4, "	" 11 ...	" 24, "	" 24, "
" 3	Aug. 9, "	Aug. 12, "	" 12 ...	Feb. 21, "	Feb. 26, "
Corr. to			" 13 ...	Mar. 28, "	Apr. 3, "
Amdt. 3	Sept. 7, "	- - -	" 14 ...	" 30, "	" 7, "
" 4	Aug. 30, "	Sept. 4, 1943	" 15 ...	" 28, "	Mar. 28, "
" 5	Sept. 17, "	" 23, "	" 16 ...	Apr. 17, "	Apr. 22, "
" 6	Oct. 14, "	Oct. 20, "	" 17 ...	May 1, "	" 1, "
" 7	Nov. 2, "	Nov. 8, "	" 18 ...	" 12, "	" 20, "
" 8	" 15, "	" 20, "	" 19 ...	July 1, "	July 1, "

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale by processors and wholesalers of frozen fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the Act. The prices established are not below the average price of frozen fish and seafood in the year 1941.

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.

81364.1151 Maximum prices for frozen fish and seafood. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 364 (Frozen Fish and Seafood), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION 364--FROZEN FISH AND SEAFOOD

ARTICLE I--PURPOSE AND SCOPE OF REGULATION

Section

1. What this regulation does.
2. How processors' maximum prices are fixed.
3. How wholesalers' maximum prices are fixed.
- 3a. Allowance for transportation.
4. Where this regulation applies.
5. Sales to which this regulation does not apply.
6. Relation to other regulations.

ARTICLE II--RECORD KEEPING AND ENFORCEMENT

7. Records and reports.
8. Indirect price increases.
9. Enforcement.
- 9a. Licensing.

ARTICLE III--MISCELLANEOUS PROVISIONS

10. Petitions for amendment.
11. Adjustable pricing.
12. Definitions.

ARTICLE IV--BASE PRICES AND PACKAGE DIFFERENTIALS

Section

13. Table of package differentials.
14. Table of base prices for frozen fish and seafood.

ARTICLE I—PURPOSE AND SCOPE OF REGULATION

SECTION 1. What this regulation does. This regulation fixes the maximum prices at which processors and wholesalers may sell frozen fish and seafood. On and after April 13, 1943, the date this regulation takes effect, no processor or wholesaler may sell any frozen fish or seafood, and no person in the course of trade or business may buy any frozen fish or seafood from a processor or wholesaler, at prices higher than the prices fixed by this regulation. But prices lower than those fixed may be charged or paid.

Sec. 2. How processors' maximum prices are fixed—(a) *General rule.* The processor's maximum price for sales of frozen fish or seafood, except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (a). This is the maximum price f. o. b. shipping point nearest freezer or other warehouse.

(b) *Branch warehouse sales.* Where the processor receives frozen fish or seafood in carload lots at a warehouse remote from the original freezer and sells and delivers such frozen fish or seafood in less-than-carload lots from the stock of such warehouse, his maximum price f. o. b. shipping point nearest warehouse for such sales to wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (a) (1), plus a mark-up of 12 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

However, the prices established in this paragraph (b) may be charged by such processor only if he has two or more full-time employees stationed in the city where such warehouse is located and such employees are engaged in selling and handling frozen fish or seafood at such warehouse solely for such processor. Furthermore, the prices established in this paragraph (b) apply only to sales of those species of frozen fish or seafood which the processor, during the greater portion of the year preceding April 13, 1943, received at such warehouse for the most part in carload lots and sold and delivered from such warehouse for the most part in less-than-carload lots.

(c) *Cash and carry sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood ex freezer, platform or other warehouse to individual retailers or purveyors of meals is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (1), plus a mark-up of 15 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

(d) *Service and delivery sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood to individual retailers or purveyors of meals, where the processor delivers such fish or seafood

in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals, is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (a) (1), plus a mark-up of 25 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

(e) *Special provisions applicable to processors' sales of frozen halibut.* The processor in determining his maximum price for frozen halibut under the provisions of paragraph (a), (b), (c) or (d) of this section 2 shall use as the base price plus any transportation allowance the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to the processor's distribution point; (2) the appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, British Columbia, to the processor's distribution point or (3) the appropriate base price listed in section 14 with respect to the point of landing plus the transportation allowance provided in section 3a (a). (Amtds. 1, 16, 18, & 19)

Sec. 3. How wholesalers' maximum prices are fixed—

(a) *General instructions.* Each wholesaler's maximum price for the kind of frozen fish or seafood listed in section 14 is found by multiplying his "net cost", as defined in the following paragraph (b), by the appropriate percentage mark-up figure, set out in the following paragraphs (c) and (d), adding the result to the net cost, and adding thereto the allowance in section 3a (b) (2) for transportation between warehouses of the same wholesaler, when such transportation is involved. (Amtdt. 19)

(b) *Net cost.* (1) Except as otherwise provided in subparagraphs (2) and (3) of this paragraph the wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any appropriate package differentials listed in section 13, less all discounts allowed him except the discount for prompt payment, and excluding all charges for local trucking, hauling and handling.

When a wholesaler buys frozen fish or seafood in a style of processing for which a base price is listed in section 14 and further processes it in a style of processing for which a different price is listed, he may add to his net cost the difference between the two base prices.

(2) The wholesaler's "net cost" must not exceed the sum of the following: (i) the applicable listed base price in section 14, plus or minus (ii) any appropriate package differentials listed in section 13 added or subtracted by previous handlers of the fish or seafood, plus (iii) allowable

transportation costs added by previous handlers of the fish or seafood, plus (iv) the appropriate mark-up, if any, allowed his supplier, plus or minus (v) any package differentials listed in section 13 for repackaging, if any, by the wholesaler, plus (vi) allowable transportation costs for delivery of the frozen fish or seafood to the wholesaler's established place of doing business, from his supplier's place of business, exclusive of local trucking, hauling and handling charges.

(3) *Net cost for sales of halibut.* The wholesaler, in determining his "net cost" for sales of frozen halibut in accordance with the provisions of section 3 (b) (1) and (2), shall use as the base price plus any transportation allowance permitted him or his supplier the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to his established place of business; (2) the appropriate base price listed in section 14 for halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, British Columbia, to his established place of business; (3) the appropriate base price listed in section 14 with respect to the point of landing plus the transportation allowance permitted him or his supplier in section 4. (Amtds. 9, 16, 18, & 19)

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure; the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the buyer and seller fall and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

No wholesaler who purchases frozen fish or seafood from another wholesaler or from a processor whose sales are governed by section 2 (b) may sell such frozen fish and seafood to other wholesalers at a price higher than his supplier's maximum price plus transportation cost allowable under section 3a (b) (1).

In no event shall the price charged for a sale to an individual retailer or purveyor of meals include more than one mark-up of either 7 percent or 12 percent, as the case may be (regardless of whether the mark-up is taken pursuant to this section or section 2), and one retailer-owned cooperative or cash and carry or service and delivery wholesaler mark-up. (Amtds. 1, 10, & 19)

(d) *Classes of sales at wholesale for the purpose of this regulation.* Depending upon the type sale to be made, a wholesaler will fall within one of the following classes. After the proper class is determined, the wholesaler will apply the mark-up provided for that class of sale:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of

base prices of section 14 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused, the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up. Sales to wholesalers, government agencies, retailer-owned cooperatives, or chain store warehouses by wholesalers other than those who qualify as primary wholesalers as defined in this section shall be at prices no higher than their supplier's ceiling prices plus transportation costs allowable under section 3a (b) (1), except for such less-than-carload lot sales to government agencies to which subparagraphs (3) and (4) of section 3 (d) are applicable. (Amtds. 2, 10, 11, 16, & 19)

(2) **Retailer-owned cooperative wholesalers.** This class includes wholesalers which are either non-profit organizations or corporations of which 51% or more of the stock is owned by its retailer customers and which generally sell and deliver from a cold storage warehouse to affiliated retail stores. The mark-up for this class of wholesaler is 10% to affiliated retail stores.

(3) **Cash and carry sales.** Cash and carry sales are sales of frozen fish or seafood to individual retailers and purveyors of meals by wholesalers who normally do not extend credit and whose sales are made ex freezer or platform. The mark-up for this class of sale is 15 percent. (Amtd. 19)

(4) **Service and delivery sales.** Service and delivery sales are sales of frozen fish or seafood by wholesalers to individual retailers or purveyors of meals where the wholesaler delivers such frozen fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals. (Amtds. 9 & 19)

(5) **Broken lots.** An allowance of 10 percent may be added to the mark-up for the classes of sales specified in the regulation by a processor or wholesaler who sells frozen fish or seafood, other than fillets or steaks, in broken lots to retailers or purveyors of meals: *Provided*, That no such allowance may be added for fish or seafood sold or delivered from the place where it has been frozen. A sale of a broken lot of fish or seafood which the processor or wholesaler has broken or separated from the original content of the immediate container in which the product had been packed by

the processor and which partial lot the processor or wholesaler sells and delivers to a customer apart from the remainder of the original content of the immediate container (Amtd. 15)

(6) **Country trade shipments.** Processors or wholesalers who ship to retailers and purveyors of meals located in rural areas or outlying points may add to their permitted mark-ups the actual cost of any special shipping cases and the cost of any extra refrigerant used for the shipment. Such processors or wholesalers must denote separately on invoices to customers the actual cost of the cases and the refrigerant. (Amtd. 19)

(e) **Imported frozen fish and seafood.** The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any frozen fish or seafood listed in section 14 which he imports is the applicable listed base price in section 14, plus or minus the appropriate differential for packaging provided in section 13, plus transportation cost allowable under section 4 (c) plus the appropriate mark-up provided in paragraphs (c) and (d) of section 3 applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (b) (2) for transportation between warehouses of the same wholesaler. (Amtds. 1, 9, 10, 11, 13, 16, & 19)

(f) (i) **Sales to government agencies.** The maximum price for sales to war procurement agencies shall be determined by reference to the class of sale and kind of service performed. Wholesalers or processors who had executed contracts prior to April 13, 1943 for the sale and delivery of frozen fish and seafood to war procurement agencies may continue to sell and deliver at prices set in the contracts for a period of forty-five days after April 13, 1943. (Amtds. 1 & 15)

(2) **Sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species).** The maximum price for sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species) to any government agency is 21½ cents per pound. This price is f. o. b. the shipping point for dressed smelts packed in a container of the customary size and kind meeting specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price. This item may be sold only to government agencies. (Amtd. 15)

Sec. 3a. Allowance for transportation.—(a) **When a processor may add transportation costs.**—(1) **Fresh fish transportation.** Any processor may include as part of his maximum price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, if such rate is available, from the port of entry to the freezing point. Where a carload rail freight rate is not available such per pound transportation cost must not exceed the lowest available common carrier rate. However, no such transportation allowance may be added in the case of fish listed in Schedule No. 11 (g) (Petrale sole—Pacific), 17 (Lingcod—Pacific), 40 (Dover sole), 40A (English sole), 40B (Sand sole), 40C (Turbot sole), 62 (Flounder—

Pacific) or 67 (Rex sole), if any of these varieties has been landed fresh ex-vessel at any of the following ports of entry in California: Half Moon Bay, Point Reyes, Bodega Bay, Crescent City, Trinidad or Shelter Cove, and it is frozen in California, Washington, or Oregon.

(2) **Frozen fish transportation.** If a processor ships frozen fish or seafood to a warehouse or other distribution point remote from the original freezer, such processor may include as part of his maximum selling price, for sales from such warehouse or other distribution point, the actual transportation cost. Such transportation cost shall not include charges for local trucking, hauling and handling, and shall not exceed the common carrier rate for the type of transportation used.

(b) **When a wholesaler may add transportation costs.** (1) Any wholesaler who buys frozen fish or seafood from a processor or other wholesaler may include as part of his net cost the actual transportation cost from his supplier's shipping point to his established place of business.

(2) Any wholesaler who ships frozen fish or seafood from one of his warehouses to a remote warehouse or other distribution point may add to his maximum price the actual transportation cost from the shipping point nearest the first warehouse to such remote warehouse or other distribution point.

(3) The actual transportation cost referred to in paragraph (b) (1) and (2) shall not include local trucking, hauling and handling charges and shall not exceed the common carrier rate for the type of shipment used.

(c) **Transportation allowance for imported frozen fish.** Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 may add as a transportation allowance the lowest amount determined on the following three bases:

(1) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point;

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the frozen fish or seafood entered the United States or the carload rail rate for frozen fish or seafood from the point in the United States nearest the foreign shipper's shipping point, whichever is designated on the invoice by the importer.

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped.

However, with respect to the species listed hereinafter the cost of transportation shall not exceed the cost for the type of shipment used from the ports listed for that species.

Species:	Port
Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, mackerel, rosefish	Boston, Mass.

(4) In determining the transportation allowance, provided in subparagraphs (1), (2) and (3) of this paragraph (c), common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using.

Where frozen Atlantic Coast smelts are imported for resale in the United States the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail freight rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States. (Amdt. 19)

Sec. 4 Where the regulation applies. The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia. (Amdt. 1)

Sec. 5 Sales to which this regulation does not apply. (a) The provisions of this regulation shall not be applicable to sales or deliveries of frozen fish and seafood to a purchaser, if prior to April 13, 1943, such frozen fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) The provisions of this regulation shall not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

Sec. 6 Relation to other regulations. (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export frozen fish and seafood shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

Sec. 7 Records and reports.

(a) Every processor making a sale and every person making a purchase of frozen fish or seafood in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after

April 13, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of processing of pack of frozen fish or seafood, and the container type and size, and indicating

that the fish or seafood is frozen (Amdt. 12)

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

(c) Every processor shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, such records as he has which reflect his inventories as of September 1, 1943, and October 20, 1943, of frozen fish and seafood to which footnote 3 is attached in the table of base prices in section 14. (Amdt. 6)

(d) Every processor shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, such records as he has which reflect his inventories as of October 1, 1943, and October 20, 1943, of frozen fish and seafood to which footnote 4 is attached in the table of base prices in section 14. (Amdt. 6)

(e) Every person making a sale of any frozen fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date of the sale; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is frozen; the quantity, sizes, grades and styles of processing of frozen fish or seafood where price differences exist in the table of base prices in section 14 because of these factors, and the prices charged therefor, including a separate statement of the container differentials, if any, as provided in section 13, and allowable transportation cost, if any. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of processing, where price differences exist in the table of base prices in section 14 because of these factors, the maximum price which may be charged for the frozen fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of processing of the species of frozen fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is frozen, and if a price is listed in Maximum Price Regulation No. 418 for the species in the particular style of processing or dressing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 418 and this Maximum Price Regulation No. 364. (Amends. 8, 12, & 16)

(f) Authorization to regional offices to modify invoice provisions. Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (e) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction and is consistent with the effective enforcement of this Maximum Price

Regulation No. 364. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (e) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such order on his own initiative or upon application for adjustment of the requirements in paragraph (e) by any person subject to them. Subpart B of Revised Procedural Regulation No. 1 shall apply to such applications for adjustment. (Amdt. 19)

Sec. 8 Indirect price increases. No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for frozen fish or seafood a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any frozen fish or seafood require a purchaser to buy any other frozen fish or seafood or any other product.

Sec. 9 Enforcement. On and after April 13, 1943, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

Sec. 9a. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. (Lic. Ord. No. 1)

ARTICLE III—MISCELLANEOUS PROVISIONS

Sec. 10 Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

Sec. 11 Adjustable pricing. Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

Sec. 12 Definitions. (a) When used in this maximum price regulation the term:

"Artificially frozen" means fish which are frozen by any method other than by exposure to the elements.

"Butterfly fillet" means two single fillets which are held together as a single unit by saving intact the belly wall of the fish.

Frozen Fish and Seafood (Continued)

Schedule No.	Common Name	Scientific Name	Item No.	Style of processing	Size	Base price per pound
5 ..	Cod--Atlantic	Gadus callarias	1	Gutted	Under 2½ lbs.	\$.09
			2	"	2½ lbs. & over	.09½
			3	Headed and gutted ..	2½ to 10 lbs.	.12
			4	" " ..	10 to 25 "	.12½
			5	" " ..	25 lbs. & over	.12
			6	Steaks(sliced)	All .....	.18
			7	Filletts .....	" .....	.22½
6 ..	Croaker	Micropogon undulatus	1	Round	Over 1½ lbs.	.09
			2	"	¾ to 1½ "	.08
			3	"	Under ¾ lb.	.07
			4	Gutted	Over 1 "	.10
			5	"	Under 1 "	.08
7 ..	Cusk	Brosme brosme/	1	Filletts	All .....	.21
8 ..	Drum, red - South Atlantic and Gulf ..	Sciaenops ocellatus	1	Dressed .....	" .....	.15
			2	Filletts .....	" .....	.25
9 ..	Eel, common	Anguilla rostrata	1	Round .....	" .....	.11
			2	Gutted .....	" .....	.13
			3	Skinned .....	" .....	.14
10 ..	Eel, conger (Ocean pout or Eelpout) ...	Leptocephalus conger, Zorces anguillaris	1	Round .....	" .....	.05
			2	Gutted .....	" .....	.06½
			3	Dressed and skinned .....	" .....	.10
			4	Filletts .....	" .....	.20
11 ..	(a) Blackback (winter flounder) 4/	Pseudopleuronectes	1	Round .....	" .....	.09½
			2	Filletts .....	" .....	.25
			3	Headed and gutted ..	" .....	.13
	(b) Dab (sea) 4/	-	1	Round .....	" .....	.07
			2	Filletts .....	" .....	.25
			3	Headed and gutted ..	" .....	.10
	(c) Dab(yellowtail) 4/	Limanda ferruginea	1	Round .....	" .....	.07
			2	Filletts .....	" .....	.25
			3	Headed and gutted ..	" .....	.10
	(d) Fluke (summer flounder)	Paralichthys dentatus	1	Round	Under 4 lbs.	.07
			2	"	Over 4 "	.09
			3	Filletts	All .....	.25
	(e) Sole, gray 4/	Glyptocephalus cynoglossus	1	Round .....	" .....	.11
			2	Filletts .....	" .....	.35
	(f) " , lemon 4/	Pseudopleuronectes dignabilis	1	Round .....	" .....	.12
			2	Filletts .....	" .....	.39
	(g) " , Petrale - Pacific 2/	-	1	Round .....	" .....	.08½
			2	Dressed .....	" .....	.10½
			3	" & skinned.	" .....	.12½
			4	Filletts .....	" .....	.27
12 ..	Grouper	Mycteroperca sp., Ephinophilus sp.	1	Gutted	Under 4 lbs.	.15
			2	Dressed	Over 4 "	.20
			3	Steaks(sliced)	.....	.40
			4	Filletts and tenderloins .	.....	.50
13 ..	Haddock 4/	Melanogrammus aeglefinus	1	Gutted	2½ lbs. & over	.10½
			2	" scrod	Under 2½ lbs.	.10
			3	Filletts	All .....	.24½
			4	Headed and gutted ..	2½ lbs. & over	.12½
14 ..	Hake - Atlantic 4/	Urophycis sp.	1	Filletts	All .....	.20½
15 ..	Halibut, Pacific	Hippoglossus hippoglossus	1	Dressed	5 to 10 lbs.	.20½
			2	"	10 to 60 "	.21½
			3	"	Over 60 "	.20½
			4	Steaks	All .....	.30½
			5	Filletts .....	" .....	.31½
			6	Round .....	" .....	.14
			7	Drawn .....	" .....	.16½
16 ..	Herring, sea, Atlantic	Clupea harengus	1	Round .....	" .....	.04
			2	Filletts .....	" .....	.11
17 ..	Lingcod - Pacific 2/	Opiodon elongatus	1	Dressed .....	" .....	.11½
			2	Filletts .....	" .....	.27

NOTE: For explanation of footnotes see page 27.

Frozen Fish and Seafood (Continued)

Schedule No.	Name		Item No.	Style of processing	Size	Base price per pound
	Common	Scientific				
18 ..	Mackerel - Atlantic ..	Scomber scombrus	1	Round	Over 1½ lbs..	\$.11
			2	"	1 to 1½ " ..	.10
			3	"	¾ to 1 lb. ..	.08
			4	"	Under ¾ " ..	.06
			5	Filletts	All .....	.20
19 ..	" , Spanish ...	Scomberomorus maculatus .	1	Gutted	Over 1½ lbs..	.20
			2	"	Under 1½ " ..	.16
20 ..	" , King	S. cavalla, S. regalia ..	1	"	All .....	.18
21 ..	Mullet	Mugil sp.	1	Round	1 lb. up ....	.10
			2	"	Under 1 lb. .	.09
			3	Dressed	All .....	.16
			4	Filletts .....	" .....	.24
22 ..	Pollock	Pollachius virens	1	Dressed .....	" .....	.09½
			2	Filletts .....	" .....	.16½
23 ..	Pompano - Atlantic ..	Trachinotus sp.	1	Round	Over 2½ lbs..	.50
			2	"	1 to 2½ " ..	.50
			3	"	Under 1 lb..	.50
24 ..	Porgy	Stenotomus sp.	1	"	Over 1 " ..	.08
			2	"	Under 1 " ..	.07
25 ..	Red cod (rock cod) - Pacific	Sebastes sp.	1	"	All .....	.07
			2	Dressed .....	" .....	.10½
			3	Filletts .....	" .....	.25
26 ..	Red snapper	Lutianus blackfordii	1	Dressed .....	" .....	.26
			2	Gutted .....	" .....	.20
			3	Steaks (sliced)	All .....	.45
			4	Filletts and tenderloins .	" .....	.60
27 ..	Rosefish	Sebastes marinus	1	Filletts .....	" .....	.22
28 ..	Sablefish	Anoplopoma fimbria	1	Dressed .....	" .....	.15½
			2	Filletts .....	" .....	.32
			3	Round .....	" .....	.12½
			4	Steaks (sliced)	" .....	.22½
29 ..	Salmon - Atlantic ...	Salmo salar	1	Round .....	" .....	.30
30 ..	Salmon - Pacific Chinook or king ... (a) Red meatd ...	Oncorhynchus tshawytscha	1	Round .....	" .....	.30
			2	Dressed	12½ lbs. & over	.29½
			3	Steaks	All .....	.35½
			4	Dressed	Under 12 lbs.	.25
			5	Drawn	14 lbs. & over	.26½
			6	"	Under 14 lbs.	.22½
			7	Filletts	All .....	.35½
			8	Drawn .....	" .....	.18
			9	Dressed .....	" .....	.19½
			10	Steaks .....	" .....	.27½
			11	Filletts .....	" .....	.29
31A .	Silver (troll-caught)	O. kisutch	1	Dressed .....	" .....	.22½
			2	Steaks .....	" .....	.31
			3	Drawn .....	" .....	.20½
			4	Filletts .....	" .....	.32
31B .	Silver (seine-caught)		1	Round .....	" .....	.16½
			2	Drawn .....	" .....	.19
			3	Dressed .....	" .....	.21½
			4	Steaks .....	" .....	.29
			5	Filletts .....	" .....	.30
32 ..	Halibut	O. keta	1	Dressed .....	" .....	.16½
			2	Steaks .....	" .....	.23½
			3	Round .....	" .....	.12½
			4	Drawn .....	" .....	.14½
			5	Filletts .....	" .....	.23
33 ..	Sea bass, black - Atlantic	Centropristes striatus ..	1	Round	1 lb. & over.	.16
34 ..	Sea bass, white - Pacific	Cynoscion nobilis	2	"	Under 1 lb. .	.10
			1	Dressed	All .....	.20
			2	Filletts .....	" .....	.38
35 ..	Shad, roses	Alosa sapidissima	1	Round .....	" .....	.16
36 ..	" , bucks	"	1	" .....	" .....	.08
37 ..	" , cut	"	1	Gutted	1½ lbs. & up..	.07
38 ..	Shad roe	"	1	12 to 14 oz. per pr.	Jumbo .....	.75
			2	10 to 12 oz. per pr.	Lge. ....	.60
			3	8 to 10 oz. per pr.	Med. ....	.45

NOTE: For explanation of footnotes see page 27.

Frozen Fish and Seafood (Continued)

Schedule No.	Name		Item No.	Style of processing	Size	Base price per pound
	Common	Scientific				
38 ..	Shad roe (Cont.) ...	<i>Alosa sapidissima</i>	4	Small, under 8 oz.		\$.35
39 ..	Skate (raja fish) ..	<i>Raja</i> sp.	1	Wings	All .....	.06
			2	Saddles .....	" .....	.05
40 ..	Sole - Pacific		1	Round .....	" .....	.07
	Dover		2	Dressed .....	" .....	.08
			3	" & skinned ..	" .....	.10
			4	Filletlets .....	" .....	.27
40A ..	English		1	Round	13 in. & over..	.08
			2	"	11½ to 13 in..	.06
			3	Dressed	13 in. & over..	.09
			4	"	11½ to 13 in..	.07
			5	" & skinned..	All .....	.10
			6	Filletlets .....	" .....	.27
40B ..	Sand		1	Round .....	" .....	.07
			2	Dressed .....	" .....	.09
			3	" & skinned..	" .....	.11
			4	Filletlets .....	" .....	.27
40C ..	Turbot		1	Round .....	" .....	.07
			2	Dressed .....	" .....	.08
			3	Skinned .....	" .....	.10
			4	Filletlets .....	" .....	.27
41 ..	Spot	<i>Leiostomus xanthurus</i>	1	Round	6 to 1b. ....	.05
			2	"	4 " " .....	.08
			3	"	2 " " .....	.12
42 ..	Striped bass (Rock).	<i>Morone saxatilis</i>	1	"	Over 8 lbs. ..	.16
			2	"	4 to 8 " ..	.18
			3	"	2 to 4 " ..	.20
			4	"	Under 2 " ..	.14
43 ..	Swordfish	<i>Xiphias gladius</i>	1	Dressed	All sizes or sections ....	.34
			2	Cuts, center ..	All .....	.36
			3	" head & tail.	" .....	.33
			4	Steaks, indiv..	" .....	.48
44 ..	Trout, sea, gray, (weakfish)	<i>Cynoscion regalis</i>	1	Round	3 lbs. up ....	.10
			2	Gutted	3 " " .....	.12
			3	Round	1½ to 3 lbs. ..	.09
			4	Gutted	1½ to 3 " ..	.11
			5	Round	1 to 1½ " ..	.09
			6	Gutted	Under 1½ " ..	.09
			7	Round	Under 1 lb. ..	.08
45 ..	Trout, sea, speckled (spotted weakfish).	<i>Cynoscion nebulosus</i>	1	"	All .....	.15
46 ..	Tuna - Atlantic	<i>Thunnus thynnus</i> , <i>T. secundodorsalis</i>	2	Gutted .....	" .....	.18
			1	Dressed .....	" .....	.14
47 ..	Whiting	<i>Merluccius bilinearis</i> ...	1	Round .....	" .....	.05
			2	Dressed .....	" .....	.08
			3	" & skinned ..	" .....	.16
			4	Butterfly filletlets .....	" .....	.15
			5	Regular filletlets	" .....	.16
			6	Dressed & scaled	" .....	.08
48 ..	Wolfish ^{4/}	<i>Anarhichas lupus</i>	1	Chunks .....	" .....	.20
			2	Filletlets .....	" .....	.22
49 ..	Crabmeat - Atlantic and Gulf		1	Lump meat	1 lb. net ....	.70
			2	Flake	1 " " ....	.60
			3	Claw	1 " " ....	.40
			4	Mixed: lump and flake	1 " " ....	.65
50 ..	Crabmeat - Pacific..		1	Regular (mixed) meat	5 lbs. " ....	.75
			2	Regular (mixed) meat	1 lb. " ....	.80
51 ..	Lobstermeat - N. Atl.	<i>Homarus americanus</i>	1	Regular	1 " " ....	.85
52 ..	Oysters - Atl. & Gulf	<i>Ostrea virginica</i>	1	Chesapeake	Standards ....	.41
			2	"	Selects .....	.44
			3	Northern	Mediums .....	.43
			4	"	Selects .....	.47

NOTE: For explanation of footnotes see page 27.

Frozen Fish and Seafood (Continued)

Schedule No.	Name	Scientific	Item No.	Style of processing	Size	Base price per pound
2/53 ..	Scallops - Sea	Pecten sp.	1	.....	All	\$.35
	- Bay		2	.....	" .....	.51
54 ..	Shrimp & prawn	Peneus setiferus,	1	Head-on	Under 9 count, .....	.20
		P. brasiliensis	2	" "	9 to 12 " .....	.18
			3	" "	12 to 15 " .....	.16
			4	" "	15 to 18 " .....	.14
			5	" "	18 to 25 " .....	.12
			6	" "	26 to 39 " .....	.11
			7	" "	40 & over " .....	.09
			8	Headless	Under 15 " .....	.36
			9	"	15 to 20 " .....	.31
			10	"	21 to 25 " .....	.28
			11	"	26 to 30 " .....	.24
			12	"	31 to 42 " .....	.22
			13	"	43 to 65 " .....	.20
			14	"	66 & over " .....	.17
			15	Peeled	Under 18 " .....	.44
			16	"	18 to 25 " .....	.39
			17	"	26 to 31 " .....	.35
			18	"	32 to 37 " .....	.31
			19	"	38 to 51 " .....	.28
			20	"	52 to 80 " .....	.25
			21	"	81 & over " .....	.22
			22	" & veined	Under 20 " .....	.51
			23	" " "	20 to 27 " .....	.45
			24	" " "	28 to 33 " .....	.40
			25	" " "	34 to 40 " .....	.36
			26	" " "	41 to 56 " .....	.33
			27	" " "	57 to 86 " .....	.29
			28	" " "	87 & over " .....	.26
			29	Headless and		
			30	veined	Under 16 " .....	.39
			31	" "	16 to 21 " .....	.35
			32	" "	22 to 27 " .....	.31
			33	" "	28 to 32 " .....	.27
			34	" "	33 to 45 " .....	.25
			35	" "	46 to 69 " .....	.22
			36	" "	70 & over " .....	.20
55 ..	Spiny (rock) lobster	Jasus lalandii	1	Over 1 lb.	10-20-30 lb. ..	.42
	tails - S. Africa ...		2	" " " .....	" " " " .....	.40
			3	Under " .....	" " " " .....	.38
56 ..	Spiny (rock) lobster	Panulirus argus	1	Over 1 lb. ....	" " " " .....	.40
	tails - Caribbean,		2	" " " .....	" " " " .....	.38
	Gulf, & Pacific		3	Under " .....	" " " " .....	.36
57 ..	Spiny (rock) lobster .....	.....	1	1 lb. net	Regular .....	.65
	meat - S. Africa,					
	Caribbean, Gulf & Pac.					
58 ..	Squid, bone - Atlantic	Loligo pealei	1	All .....	.....	.14
59 ..	" " - Pacific	Loligo opalescens	1	" .....	.....	.10
60 ..	Smelt (Columbia River	Thaleichthys pacificus or	1	Round	All .....	.10
	Eulachon) 2/	any Argentinidae species				
60A ..	Smelts, Atlantic					
	Coast	Osmerus mordax	1	"	8 1/2 in. & over ..	.25
	(a) Jumbo		2	"	7 to 8 1/2 in. ..	.21
	(b) Extra		3	"	5 1/2 to 7 " .....	.14
	(c) No. 1		4	"	4 to 5 1/2 " .....	.08
	(d) No. 2 (Medium) ..		5	Dressed	5 1/2 to 7 " .....	.23
	(e) No. 1					
61 ..	Cod, true - Pacific	Gadus macrocephalus	1	Round	All .....	.08
			2	Dressed .....	" .....	.09
			3	Fillets .....	" .....	.14
62 ..	Flounder - Pacific ...	.....	1	Round .....	" .....	.07
			2	Dressed .....	" .....	.09
			3/3	Fillets .....	" .....	.27
63 ..	Salmon, pink - Pacific	Oncorhynchus gorbuscha ..	1	Round .....	" .....	.09
			2	Drawn .....	" .....	.10
			3	Dressed .....	" .....	.12
			4	Fillets .....	" .....	.18
64 ..	" , sockeye - "	O. nerka	1	Round .....	" .....	.21
			2	Dressed .....	" .....	.27

NOTE: For explanation of footnotes see page 27.

Frozen Fish and Seafood (Continued)

Schedule No.	Common Name	Scientific Name	Item No.	Style of processing	Size	Base price per pound
65 ..	Salmon, chinook or king (seine caught) - Pacific	O. tshawytscha	1	Round	All	\$.19 ¹ / ₂
			2	Dressed .....	" .....	.24 ¹ / ₂
66 ..	Salmon, steelhead - Pacific	Salmo gairdnerii	1	Round .....	" .....	.14 ¹ / ₂
			2	Dressed .....	" .....	.18 ¹ / ₂
67 ..	Sole, rex - Pacific .....	.....	1	Round .....	" .....	.04 ¹ / ₂
			2	Dressed and skinned ...	" .....	.10 ¹ / ₂
68 ..	Lake herring	Leucichthys artedii	1	Round .....	" .....	.07 ¹ / ₂
			2	Gutted .....	" .....	.09 ¹ / ₂
			3	Headed & gutted .....	" .....	.11
			4	" , gutted, and scaled ...	" .....	.12
			5	Fillets .....	" .....	.17 ¹ / ₂
			6	Boned .....	" .....	.17 ¹ / ₂
69 ..	" " - caught in Saginaw Bay	" "	1	Round .....	" .....	.09 ¹ / ₂
			2	Gutted .....	" .....	.12
			3	Headed & gutted .....	" .....	.11
			4	" , gutted, and scaled ...	" .....	.12
			5	Fillets .....	" .....	.17 ¹ / ₂
			6	Boned .....	" .....	.17 ¹ / ₂
70 ..	Whitefish - Canadian 6/7/8/	Coregonus clupeaformis ..	1	Round or gutted	Under 4 lbs. ..	.15
			2	" " " "	4 lbs. & over..	.19
			3	Fillets	All .....	.33
71 ..	Tullibee - Canadian 6/7/8/	Argyrosomus tullibee, ..	1	Round .....	" .....	.06
		Leucichthys tullibee ...	2	Gutted .....	" .....	.07 ¹ / ₂
72 ..	Lake trout - Canadian 6/7/8/	Cristivomer mamaycush ...	1	Round or gutted .....	" .....	.16
			2	Fillets .....	" .....	.35
73 ..	Yellow pike - Can. (Yellow or well-eyed pike) 6/7/8/ ...	Stizostedion vitreum vitreum	1	Round or gutted .....	" .....	.11
			2	Headless and gutted .....	" .....	.13 ¹ / ₂
			3	Fillets .....	" .....	.27 ¹ / ₂
74 ..	Sucker - Canadian (fresh-water mullet) 6/7/8/	Catostomidae species	1	Round .....	" .....	.09
			2	Fillets .....	" .....	.14
75 ..	Pickrel - Canadian (Jacks, Great Northern pike or grass pike) 6/7/8/	Esox lucius	1	Round .....	" .....	.05 ¹ / ₂
			2	Headless and gutted .....	" .....	.07 ¹ / ₂
			3	Fillets .....	" .....	.16 ¹ / ₂
76 ..	Sauger - Canadian (Sand pike) 6/7/8/	Stizostedion canadense ..	1	Round .....	" .....	.08 ¹ / ₂
			2	Headless and gutted .....	" .....	.10 ¹ / ₂
			3	Fillets .....	" .....	.23
77 ..	Yellow perch - Can. 6/7/8/	Perca flavescens	1	Round .....	" .....	.09 ¹ / ₂

- 1/ Apply only when packed in containers of more than one pound to and including 10 pounds. When packed in containers of one pound or less, $\frac{1}{4}$ cents per pound may be added to the listed prices. (Amdts. 4 & 5)
- 2/ When frozen in scallop bags, deduct 2 cents per pound. (Amdt. 2)
- 3/ No processor shall sell this species and style at prices listed until he shall have sold at or below the prices applicable to this item before October 20, 1943, an amount equal to that part of his October 20, 1943 inventory of that species and style which he froze before September 1, 1943. No importer shall sell this species and style frozen before September 1, 1943 outside any of the forty-eight states of the United States and the District of Columbia at prices higher than those applicable to this item before October 20, 1943. (Amdts. 6 and 8)
- 4/ No processor shall sell this species and style at prices listed until he shall have sold at or below the prices applicable to this item before October 20, 1943, an amount equal to that part of his October 20, 1943, inventory of that species and style which he froze before October 1, 1943. No importer shall sell this species and style frozen before October 1, 1943 outside any of the forty-eight states of the United States and the District of Columbia at prices higher than those applicable to this item before October 20, 1943. (Amdts. 6 and 8)
- 5/ Apply only to fish caught in Lakes Superior, Michigan, and Huron, and waters tributary thereto, except Saginaw Bay. (Amdt. 8)
- 6/ These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lakes Superior, Huron, Ontario, or Erie. (Amdts. 13 and 19)
- 7/ To these prices may be added duty. Any person who processes this species may add to his selling price an amount which will recover the full amount of duty which he paid for the particular lot of fish involved in the processing. (Amdt. 13)

- 8/ All fish of this species frozen before April 3, 1944, may be sold at the maximum prices fixed by the General Maximum Price Regulation until April 18, 1944. (Amdt. 13)
- 2/ The processor shall deduct $3\frac{1}{2}$ cents from the base price if he does not either wash and repack the smelts in layers or wash and individually freeze the smelts. (Amdt. 15)
- 10/ The base prices listed for halibut apply to frozen halibut landed or frozen on the Pacific Coast of the United States. For frozen halibut landed or frozen in Canada or Alaska, deduct the following amounts from the listed prices:

Style of dressing	Deductions Cents	Style of dressing	Deductions Cents
Dressed	2 $\frac{1}{2}$	Round	2 $\frac{1}{2}$
Steaks	3 $\frac{1}{4}$	Drawn	2 $\frac{1}{2}$
Filletts	4		

For frozen halibut landed or frozen on the Atlantic Coast of the United States, add $\frac{1}{2}$ cent to the listed prices. (Amdts. 16 and 19)

- 11/ The base price listed for these filletts apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable base price is that listed for Item No. 2 of Schedule No. 11 (c), Dab (Yellowtail). (Amdt. 16)

OPA FISH ADVISORY COMMITTEE

Appointment of a Fresh and Frozen Fish Industry Advisory Committee, which includes eastern, southern, mid-western and western representatives of the industry, as well as all segments of the trade, has been announced by the Office of Price Administration. The committee will work with OPA on all problems involved in price control for fresh and frozen fish and seafood.

Members of the committee are as follows:

John Fulham, Fulham and Herbert, Boston, Mass.	William Hilgenberg, Seaboard Fish Co., Baltimore, Md.	Arthur Jarrell, Jarrell and Rea, Pittsburgh, Pa.
L. A. Greene, 40-Fathom Fish, Inc., Boston, Mass.	Harry Tillman, San Juan Fishing & Packing Co., Seattle, Wash.	Sol Fass, Isaac Fass, Inc., Portsmouth, Va.
John Del Torchio, Cape Ann Fisheries, Gloucester, Mass.	Lionel Shatz, A. Paladini, Inc., San Francisco, Calif.	O. L. Carr, Mid Central Fish Co., Kansas City, Mo.
Capt. John G. Marley, Fairhaven, Mass.	T. J. Sandoz, Columbia River Packers Assn., Astoria, Oregon.	Jack Yeomans, Atlanta Fish Inc., Atlanta, Ga.
Harry McCreary, Florida Commercial Fish. Assn. Tarpon Springs, Fla.	R. P. Fletcher, Booth Fisheries, Chicago, Ill.	Jerome Kiselik, Flag Fish Co., New York, N. Y.
Thomas P. Holcombe, Indian Ridge Canning Co., Inc. Houma, La.	Roy Jensen, Hansen & Jensen Fish Co., Escanaba, Mich.	Sol Broome, Sol Broome & Co., New York, N. Y.

MPR-439--FRESH FISH AND SEAFOOD--AND AMENDMENTS 1 TO 6

This condensation of the text and tables of MPR-439 and the amendments through July 31, 1944, are for ready reference purposes only. Every effort has been made to insure its accuracy, but users are cautioned that the official regulations governing the maximum prices established for the sale of fresh fish and seafood are those contained in the order and amendments listed immediately below:

Issued	Effective	Issued	Effective
MPR-439 - July 20, 1943	July 22, 1943	Amdt. 4 - Oct. 9, 1943	Oct. 15, 1943
Amdt. 1 - " 30, "	" 30, "	" 5 - Nov. 1, "	Nov. 6, "
" 2 - Aug. 20, "	Aug. 20, "	" 6 - Dec. 20, "	Dec. 27, "
" 3 - Sept. 15, "	Sept. 21, "		

(Document No. 19189)

PART 1364--FRESH, CURED, AND CANNED
MEAT AND FISH PRODUCTS
[MPR 439]

FRESH FISH AND SEAFOOD AT RETAIL

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that maximum prices be established for the sale by retailers of fresh fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, prices established are generally fair and equitable and will effectuate the purposes of the Act. The prices established are not below the average retail prices of fresh fish and seafood in the year 1941.

A statement of the considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

§ 1364.19 *Maximum retail prices for fresh fish and seafood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 439 (Fresh Fish and Seafood at Retail), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.19 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 439--FRESH FISH
AND SEAFOOD AT RETAIL

ARTICLE I--PURPOSE AND SCOPE OF THIS REGU-
LATION

Sec.

1. What this regulation does.
2. What species of fresh fish and seafood are covered by this regulation.
3. How retailers determine their maximum prices for fresh fish and seafood.
4. Directions for applying the mark-up rule.
5. Price posting requirement.
6. Additions allowed for deliveries made by the store to its customers.
7. Precedence of community prices over retailer's ceilings established by the mark-up method.
8. Where this regulation applies.
9. Sales to which this regulation applies.
10. Relation to other regulations.

*Copies may be obtained from the Office of Price Administration.

ARTICLE II--RECORD KEEPING AND ENFORCEMENT

11. Records and reports.
12. Indirect price increases.
13. Enforcement.
14. Licensing and regulation.

ARTICLE III--MISCELLANEOUS PROVISIONS

15. Petitions for amendment.
 16. Definitions.
- Appendix A: Suggested form.

Article I--Purpose and Scope of
Regulation

SECTION 1. What this regulation does.

This regulation fixes the maximum retail prices at which retailers may sell certain species of fresh fish and seafood. On and after July 22, 1943, the date this regulation takes effect, no retailer may sell or deliver any of such fresh fish or seafood, and no person in the course of trade or business may buy or receive any of such fresh fish or seafood from a retailer at prices higher than the prices fixed by this regulation. But prices lower than those fixed may be charged or paid.

SEC. 2. What species of fresh fish and
seafood are covered by this regulation.

(a) The following species of fish and seafood are included in this regulation:

1. Alewives (*Pomolobus pseudo-harengus*)
2. Codfish (*Gadus callarias*).
3. Cusk (*Brosme brosme*).
4. Blackback (*Pseudopleuronectes americanus*).
5. Dab, Sea (*Hippoglossoides platessoides*).
6. Yellow tail (*Limanda ferruginea*).
7. Haddock (*Melanogrammus aeglefinus*).
8. Hake (*Urophycis* species).
9. Hake, mud (*Urophycis* species).
10. Herring (*Clupea harengus*).
11. Pollock (*Pollachius vireus*).
12. Rosefish (*Sebastes Marinus*).
13. Sole, Gray (*Glyptocephalus cynoglossus*).
14. Sole, Lemon (*Pseudopleuronectes dignabilis*).
15. Whiting (*Merluccius bilinearis*).
16. Wolfish (*Anarhichas lupus*).
17. Scallops, Sea (*Pecten magellanicus*).
18. Scallops, Bay (*Pecten irradians*).
19. Swordfish (*Xiphias gladius*).
20. Cod true (Pacific coast) (*Gadus macrocephalus*).
21. Crabs (Pacific coast).
22. Flounder (Pacific coast).
23. Halibut (*Hippoglossus hippoglossus*).
24. Ling cod (Pacific coast) (*Ophiodon elongatus*).
25. Red Cod (rock cod) (Pacific coast) (*Sebastes* species).
26. Sablefish (*Anoplopoma fimbria*).
27. Salmon, Chinook (King) (Pacific coast) troll caught (*Oncorhynchus tshawytscha*) red meat and white meat.
28. Salmon, silver (Pacific coast) troll caught (*Oncorhynchus kisutch*).

Sec.

29. Salmon, silver (Pacific coast) seine caught (*Oncorhynchus kisutch*).
30. Salmon, fall (Pacific coast) seine caught (*Oncorhynchus keta*).
31. Salmon, pink (Pacific coast) seine caught (*Oncorhynchus garbuscha*).
32. Salmon, Sockeye (Blueback) (Pacific coast) seine caught (*Oncorhynchus nerka*).
33. Salmon, Chinook (King) (Pacific coast) seine caught (*Oncorhynchus tshawytscha*).
34. Salmon, Steelhead (Pacific coast) (*Salmo gairdneri*).
35. Smelt, Silver (Pacific coast).
36. Sole, Dover (Pacific coast).
37. Sole, English (Pacific coast).
38. Sole, Petrale (Pacific coast).
39. Sole, Rex (Pacific coast).
40. Sole, Sand (Pacific coast).
41. Sole, Turbot (Pacific coast).
42. Tuna, Albacore (Pacific coast).
43. Tuna, Yellowfin (Pacific coast).
44. Tuna, Bluefin.
45. Tuna, Shipjack (striped) (Pacific coast).
46. Bonita (Pacific coast).
47. Yellowtail (Pacific coast).
48. Pilchards (*Sardinia caerulea*).
49. Whitefish (*Coregonus clupeaformis*) (Caught in Canadian waters).
50. Lake Trout (*Cristivomer mamaycush*) (Caught in Canadian waters).
51. Yellow Pike (Yellows or Wall-eyed Pike) (*Stizostedion vitreum vitreum*) (Caught in Canadian waters).
52. Pickerel (Jacks, Great Northern Pike or Grass Pike) (*Esox lucius*) (Caught in Canadian waters).
53. Sauger (Sand Pike) (*Stizostedion canadense*) (Caught in Canadian waters).
54. Yellow Perch (*Perca flavescens*) (Caught in Canadian waters).
55. Shrimp and Prawn.
56. Lake herring (*Leucichthys artedii*). (Amdt. 3,5)

SEC. 3. How retailers determine their

maximum prices for fresh fish and sea-

food. (a) Every retailer, in order to determine his maximum selling price for any style or form of each species of fresh fish or seafood set forth in section 2 shall take the same cents per pound mark-up over net delivered cost, which he took on the most sales during the period July 5 to July 10, 1943, inclusive, for the same style and form of the species being priced: *Provided*, That if during that period the retailer fixed his selling price by applying a percentage mark-up over cost, he shall determine his maximum selling price under this regulation by applying the percentage mark-up which he used on most sales during that period.

(b) For any species of fish or seafood listed in section 2 or any style or form of those species, which was not offered for sale during the period July 5 to July 10, 1943, inclusive, the retailer's maximum

selling price will be determined by taking the most similar commodity of fresh fish or seafood that he did offer for sale during the period July 5 to July 10, 1943, inclusive, and applying the cents per pound mark-up or the percentage mark-up as set forth in section 3 (a).

(c) Any retailer who did not offer for sale any species of fish or seafood listed in section 2 or any form or style of any species during the period July 5 to July 10, 1943, inclusive, or who cannot price his fresh fish and seafood commodities under section 3 (a) or (b) hereof shall file a written application to the nearest district office of the Office of Price Administration for approval of a permitted retail mark-up on each of such species in the style or form to be sold. The application shall include a statement setting forth the reason why pricing cannot be based on section 3 (a) or (b) and a proposed schedule of mark-ups by species and forms and styles to be sold. Any district office of the Office of Price Administration may establish maximum mark-ups of such an applicant in line with the mark-ups of similar retailers. The district office shall establish Table A prices in Maximum Price Regulation No. 418 as the net cost for any applicant who is the producer of the fresh fish or seafood which he sells at retail. (Amdt. 6)

Sec. 4. Directions for applying the mark-up rule. To compute the maximum selling price take the net delivered cost on a per pound basis for each species and apply the permitted mark-up under section 3. Net delivered cost is the amount paid to the supplier less all discounts, except the discount for prompt payment, plus all transportation charges. If more than one purchase is represented in the species to be priced, the retailer, to determine the net delivered cost, may take (a) the average weighted cost of such purchases (total net delivered cost of the purchases divided by the number of pounds bought) or (b) the net delivered cost of the largest purchase involved. No retailer may compute his maximum selling price on a purchase where the net delivered cost is higher than the supplier's ceiling price.

To compute the maximum selling price for fresh fish or seafood of any species listed in section 2 which the retailer bought outside of the United States or Alaska or which were delivered to him from outside the United States or Alaska, the retailer shall use as his "net delivered cost" whichever of the following is lower: (1) The "net delivered cost" as computed above or (2) the maximum price for the sale of such fresh fish or seafood by a primary fish shipper wholesaler as listed in Maximum Price Regulation No. 418, Article IV, section 20, Table B, plus the container price as listed in Maximum Price Regulation No. 418, Article IV, section 19, where a container, as there defined, is used, plus all transportation charges.

Fractions of one-half cent or over shall be considered a cent and fractions of a cent under one-half cent are to be dropped in computing the retailer's maximum selling price per pound. When retailers service and distribute fresh fish and seafood from one or more central warehouses, they shall be permitted to include in their net cost the actual service and warehousing cost. A retailer must calculate maximum prices for the fresh fish and seafood commodities covered by this regulation once every week. This calculation shall be made on Thursday of each week and before any sales of such commodity are made on that day. All maximum prices shall be calculated and stated in cents per pound. In the calculation, costs of fresh fish and seafood, both on hand and in transit, shall be included. (Amdt. 5)

Sec. 5. Price posting requirement. The retailer must post a list of his ceiling prices at a place in his store where it can be easily read by customers or prospective customers. Such list must contain a complete list of all species covered in this regulation which are being offered for sale and the form or style in which sold.

Sec. 6. Additions allowed for deliveries made by the store to its consumers. (a) If deliveries are made by the retailer to the homes or places of business of his customers of any of the items covered by this regulation, the retailer may add to the total value of the delivery, as a separate charge, the same amount which he charged for such delivery during the period July 5 to July 10, 1943, inclusive.

Sec. 7. Precedence of community prices over retailers ceilings established by the mark-up method. (a) The Office of Price Administration may, by order issued pursuant to General Order Number 51, fix in any community dollars-and-cents ceiling prices for some or all of the fishery commodities in this regulation. When such dollars-and-cents prices are fixed, the retailer may not thereafter sell at higher prices than ceiling prices set for the group in which he is classified, if group classifications are set up, and these new ceiling prices shall take the place of the ceiling prices arrived at under this regulation.

Sec. 8. Where this regulation applies. The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia and, notwithstanding the provisions of Maximum Price Regulation 194, to the Territory of Alaska. (Amdt. 1, 2)

Sec. 9. Sales to which this regulation applies; sales to eating places. (a) This regulation applies to all sales of fresh fish or seafood by a retailer, which includes any store, wagon route, establishment, or department which sells, for the most part, to ultimate consumers who are not commercial, industrial or institutional users.

(b) Ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Maximum Price Regulation No. 418. Nevertheless, any person may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80 percent or more of his total sales of fresh fish and seafood during the previous calendar month were retail sales to consumers, that is, to persons who buy the fresh fish and seafood to be eaten by themselves or their families. (Amdt. 4)

Sec. 10. Relation to other regulations. The maximum price at which a person may export fresh fish and seafood at retail shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

Article II—Record Keeping and Enforcement

Sec. 11. Records and reports. (a) Every seller subject to this regulation shall keep in his possession for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all available sales slips, books of account, invoices and other purchase and sales records of the period July 5th and 10th, 1943, inclusive. He shall also prepare, for all fresh fish and seafood handled by him during this period, whether or not covered specifically by this regulation, a written statement, for inspection by the Office of Price Administration showing (1) the net delivered cost of each species in each form or style bought, which net delivered cost is (i) computed by dividing the total net delivered cost of each species, bought in the same form, by the total number of pounds bought or (ii) taking the net delivered cost of the largest single purchase; (2) the price at which he made most sales of each of the above-mentioned species in the styles or forms in which he made the sales, and (3) the mark-up in each case. The cents-per-pound mark-up shall be the difference between the net delivered cost per pound and the selling price per pound as computed in (1) and (2), but any retailer who employs a percentage mark-up method may state such a mark-up in percentage terms. A suggested form for this statement, with sample entries based on assumed prices using the cents-per-pound mark-up method is provided in Appendix A.

(b) Every seller shall, subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

Sec. 12. Indirect price increases. No person shall evade any of the provisions of this regulation by any scheme or device, and no person shall indirectly charge or receive for fresh fish or seafood a price higher than the maximum price permitted by this regulation. No person shall, as a condition of selling fresh fish or seafood, require a purchaser to buy any other fish or seafood or any other product.

Sec. 13. Enforcement. On and after July 22, 1943, any person violating any provision of this regulation shall be subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

Sec. 14. Licensing and registration. The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation¹ shall apply to every person subject to this regulation.

Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which ceiling prices are established. A license to all retailers engaged in resale of fishery commodities during the period July 5 to July 10, 1943, inclusive, is automatically granted so it is not necessary for any such retailer to apply for it. Other retailers will be automatically licensed upon approval of a mark-up method as outlined in section 3 (c). All sellers may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which ceiling prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

Article III—Miscellaneous Provisions

Sec. 15. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural

Regulation No. 1² issued by the Office of Price Administration.

Sec. 16. Definitions. "Style or form" in this regulation means the various stages at which fresh fish or seafood may be processed by producers and wholesalers and by the retailer for the consumer such as scaled, headed, gutted, steaks, slices, fillets, etc., and includes fish sold in the round or drawn on a gross weight basis and processed at the order of the customer without added compensation.

Effective date. This regulation shall become effective July 22, 1943.

Note: The reporting and record keeping provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of July 1943.

PRENTISS M. BROWN,
Administrator.

APPENDIX A SUGGESTED FORM—RETAIL MARK-UPS RECORD JULY 5-10, 1943, INCLUSIVE (Cents-per-pound mark-up method)

Species	Form or style purchased	(1) Net delivered cost per pound	Form or style sold	Gross or net weight (state which)	(2) Selling price per pound	(3) Cents per pound mark-up
SAMPLE ENTRIES		Cents			Cents	Cents
Haddock.....	Drawn.....	14	Drawn.....	Gross.....	18	4
Haddock.....	Drawn.....	14	Prepared-to-order.....	Gross.....	21	7
Haddock.....	Drawn.....	14	Pan-dressed.....	Net.....	26	14
Haddock.....	Fillets.....	32	Fillets.....	Gross.....	41	9
Croaker.....	Drawn.....	12	Drawn.....	Gross.....	16	4

(1), (2) and (3) refer to methods of computations outlined in section 11.

Note: Many of the provisions of MPR-439 were superseded on January 27, 1944, by MPR-507. All the species mentioned in MPR-439, with the exception of lake herring, pilchard, rex sole, steelhead trout, and crabs, have been placed under a definite cents per pound mark-up in MPR-507. Thus, the five species listed above are still under MPR-439. There are certain other provisions of MPR-439 which apply to sales by retailers. This order should be checked with MPR-507.

¹ 8 P.R. 4132, 5987, 7682.

² 8 P.R. 3096, 3849, 4347, 4486, 4724, 4978, 4948, 6047, 6962; 8511, 8025.

³ 7 P.R. 8961; 8 P.R. 3313, 3533, 6173.

MPR-507--RETAIL CEILING PRICES--AND AMENDMENTS 1 TO 4

This text and the tables of MPR-507 and the amendments through July 31, are for ready reference purposes only. Every effort has been made to insure its accuracy, but users are cautioned that the official regulations governing the maximum prices established for the sale at retail of certain fresh fish and seafood are those contained in the order and amendments listed immediately below:

	Issued	Effective		Issued	Effective
MPR-507	Jan. 13, 1944	Jan. 27, 1944	Amt. 3	Apr. 28, 1944	Apr. 28, 1944
Amt. 1	Mar. 31, "	Apr. 6, "	" 4	May 13, "	May 18, "
" 2	" 31, "	Mar. 31, "			" 25, "

In the judgment of the Price Administrator, it is necessary, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that maximum prices be established for the sale of certain fresh fish and seafood at retail.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, prices established are generally fair and equitable and will effectuate the purposes of the Act. The prices established are not below the average retail prices of fresh fish and seafood in the year 1941.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected, or insofar as they were not in general use, their use is essential to effectuate price control, and there is no effective alternative.

A statement of the considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.

\$1364.352 Ceiling prices of certain fresh fish and seafood sold at retail. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 507 (Ceiling Prices of Certain Fresh Fish and Seafood Sold at Retail), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION 507--CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

ARTICLE I--PURPOSE AND SCOPE OF THE REGULATION

Section

1. What this regulation does.
2. What stores are covered by this regulation and how you find out what group you are in.
3. How and when you figure your ceiling prices for fresh fish and seafood.
4. Directions for figuring ceiling prices for fresh fish and seafood.
5. Prices which you must post.
6. Indirect price increases prohibited.
7. Prohibitions.
8. Sales slips and receipts.
9. Records.
10. Licensing.
11. Notice of dollars-and-cents ceiling prices.
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- 12a. Delegation to Regional Administrator for Region VIII.

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Section

13. Additions for Groups 3 and 4 stores for delivery from warehouse to store.
14. Additions allowed for deliveries made by "fish stores."
15. How you figure your ceiling price for items which you "process."
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Section

17. How Groups 3 and 4 stores may, under certain conditions, use the Group 1 and 2 mark-ups.
18. Applications for adjustment.

ARTICLE IV--MISCELLANEOUS PROVISIONS

Section

19. How you find the "annual gross sales" of your store.
20. How you determine your group in certain special cases.
21. Taxes.

ARTICLE IV--MISCELLANEOUS PROVISIONS (Continued)

Section

22. Transfer of business and stock in trade.
23. Relation to other regulations.
24. Geographical applicability.
25. Definitions.

ARTICLE V--TABLES

Section

26. Table of mark-ups for fresh fish and seafood (Table A).

ARTICLE I--PURPOSE AND SCOPE OF THE REGULATION

SECTION 1. What this regulation does: This regulation fixes new ceiling prices for domestic and imported fresh fish and seafood items listed in Table A, for all retail stores, retail route sellers and wagon retailers. These new ceiling prices are to be used instead of the ceiling prices figured under any other price regulation or order issued by the Office of Price Administration (hereinafter called OPA), except as otherwise provided in any order fixing dollars-and-cents ceiling prices which has been or which may be issued by the OPA pursuant to Revised General Order No. 51.

Sec. 2. What stores are covered by this regulation and how you find out what group you are in--(a) What stores are covered. Your store is covered by this regulation if you are a retailer who buys and resells food products, for the most part to ultimate consumers who are not commercial, industrial or institutional users. Ceiling prices for sales to hotels, boarding houses, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Maximum Price Regulation No. 418. Nevertheless, any person may, during any month, use the ceiling prices fixed by this regulation in selling to eating places, if 80% or more of his total sales of fresh fish and seafood during the previous calendar month were sales at retail to ultimate consumers. Retail route sellers and wagon retailers shall, for the purposes of this regulation, regard themselves as stores, and figure their ceiling prices as such.

(b) What are Groups 1, 2, 3 and 4 stores. For the purposes of this regulation, Groups 1, 2, 3 and 4 stores are defined as follows:

(1) **Group 1.** Your store is in Group 1 if it is an "independent" store with "annual gross sales" of less than \$50,000.

(2) **Group 2.** Your store is in Group 2 if it is an "independent" store with "annual gross sales" of \$50,000 or more, but less than \$250,000.

(3) **Group 3.** Your store is in Group 3 if its "annual gross sales" are \$250,000, and if it is not an "independent" store.

(4) **Group 4.** Your store is in Group 4 if its "annual gross sales" are \$250,000 or more.

(5) **Independent store.** Your store is an "independent" store if it is not one of four or more stores under one ownership whose combined "annual gross sales" are \$500,000 or more.

(c) **How to post a sign of the group your store is in.** At all times, you must

have posted a sign showing the group your store is in under this regulation (reading "OPA-1", "OPA-2", "OPA-3" or "OPA-4", whichever applies to you), or you must have posted a sign which the OPA may furnish you. However, you may post the sign of another group, if you are permitted to do so under any order issued under Revised General Order No. 51. The sign must be posted so that it can be clearly seen by your customers.

Sec. 3. How and when you figure your ceiling prices for fresh fish and seafood--(a) General rule. Your ceiling price for each item of fresh fish and seafood (that is, for each kind, size, and style of dressing or preparation), listed in Table A shall be the total of (1) the "net cost" of the largest delivery of the item received by you during the preceding seven-day period if you are a Group 1 or 2 store, or the weighted average "net cost" of all deliveries of the item during the preceding seven-day period if you are a Group 3 or 4 store, plus (2) the mark-up given your group for the item in Table A.

(b) When you must figure your ceiling prices. By the opening of business on January 27, 1944, you must have figured your ceiling price for each item of fresh fish and seafood listed in Table A which you have in stock at that time. These ceiling prices must be checked each week after January 27, 1944, and changed on Thursday of each week for any item, if your "net cost" of that item has changed in the preceding seven days. Never change your ceiling price on any day but Thursday.

For any item which you receive for the first time, or which you have not received during the preceding seven days, you must figure your ceiling price as soon as you receive it and before you make any sales, using the "net cost" of that first delivery. On each Thursday after that, you must treat the item as you would any other item of fresh fish and seafood covered under this regulation.

Stores under one ownership pricing from a central point may refigure ceiling prices for items so priced, based on the "net cost" of deliveries received during the seven days preceding Tuesday of each week. These prices must not be put into effect until the following Thursday.

Sec. 4. Directions for figuring ceiling prices for fresh fish and seafood--(a) "Net cost"--(1) Provisions applicable to all stores. (i) Your "net cost" will be the amount you paid your supplier, less all discounts except the discount for prompt payment, plus all transportation charges you paid to transport the item to your

usual receiving point, which may include costs for icing and refrigeration in transit, but which may not include costs for local trucking and local unloading.

(ii) Your "net cost" must be based on purchases delivered to your usual receiving point.

(iii) Your "net cost" must be figured on the basis of a per pound selling unit. Always figure "net cost" to three decimal places. Do not round out any fractions until you have added your mark-up.

(iv) You may never use as "net cost" the cost of a purchase from another retailer, and you must never figure your "net cost" on a purchase made at a cost higher than your supplier's ceiling price.

(2) **Provisions applicable to Groups 1 and 2 stores--(i) "Net cost" of largest delivery.** If you are a Group 1 or 2 store, to figure your ceiling price, you must first find the "net cost" of the largest delivery received by you of the item during the seven-day period before the Thursday for which you are figuring your price. If there are two or more of such largest deliveries of the same quantity, use the most recent of these deliveries.

(ii) **Use of weighted average "net cost" instead of "net cost" of largest delivery.** If you are a Group 1 or 2 store, you may use the weighted average "net cost" of all deliveries during the seven-day period, instead of using the "net cost" of the largest delivery during that period. If you figure "net cost" in this manner, however, you may not use the "net cost" of the largest delivery during the preceding seven-day period for any of the items listed in Table A.

(3) **Provisions applicable to Group 3 and 4 stores.** If you are a Group 3 or 4 store, your "net cost" will be the weighted average "net cost" of all deliveries of the item to you during the seven-day period before the Thursday for which you are figuring your price, except that stores under one ownership who price from a central point may use the weighted average "net cost" of deliveries received during the seven days preceding Tuesday of each week.

(b) **Mark-up.** Turn to Table A to find the mark-up for the item given your group of store.

(c) **Ceiling prices.** Your ceiling price will be the total of your dollars-and-cents mark-up added to your "net cost". Where this calculation results in a fraction of a cent, the figure must be reduced to the next lower cent if the fraction is less than $\frac{1}{2}$ cent, and may be increased to the next higher cent, if the fraction is $\frac{1}{2}$ cent or more.

If you sell an item in a quantity other than the selling unit given in Table A,

you must reduce or increase your price proportionately. If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

Sec. 5. Prices which you must post. At all times, you must have your current selling price for each item covered by this regulation clearly shown at the place where you offer the item for sale. Of course, this posted price must never exceed your ceiling price. (Amdt. 4)

Sec. 6. Indirect price increases prohibited. You must not evade any of the provisions of this regulation or any order issued pursuant to it by any scheme or device. You must not, as a condition of selling any particular item, require a customer to buy anything else. Any such evasion is punishable as a violation of this regulation.

Sec. 7. Prohibitions. On and after January 27, 1944, if you sell or deliver, or offer to sell or deliver at a price higher than your ceiling price fixed by this regulation or any order issued pursuant to it, or if you otherwise violate any provisions of this regulation or any order issued pursuant to it, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who, in the course of trade or business, buys from you at a price higher than your ceiling price, is subject to the criminal penalties and civil enforcement actions provided for by that act.

Sec. 8. Sales slips and receipts. If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your custom, you must give any customer who asks for it a receipt showing the date, your name and address, and each item sold and the price you charged for it.

Sec. 9. Records. After January 25, 1944, you must keep for one year after you receive them all your invoices, freight bills, and other records showing the price you paid and the date you received delivery of each item covered by this regulation.

You are required to show all your invoices on request of any OPA representative, and to furnish on request of any OPA representative a written record of your ceiling price in effect at any particular time or times for any or all of the items covered by this regulation. You must also keep available for inspection by any OPA representative the records you used in deciding what group your store is in.

Stores under one ownership pricing from a central point must also keep available at all times in each store a list showing the current selling price, as set at the central point, of each item so priced. These price lists must be kept in each store for one year, or, in the alternative, must be kept in each store for thirty days, and thereafter for a period of eleven months in the warehouse from which the items are delivered to the store, and must be shown, on request, to any OPA representative.

Sec. 10. Licensing. The provisions of Licensing Order No. 1, licensing all per-

sons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 11. Notice of dollars-and-cents ceiling prices. From time to time the OPA may, by order issued pursuant to Revised General Order No. 51, fix in your region or community, dollars-and-cents ceiling prices for some or all of the items under this regulation. When these dollars-and-cents prices are fixed, you may not thereafter sell at higher prices, and those orders may provide that such prices replace the ceiling prices which you have under this regulation. If such orders do not provide that they replace your prices under this regulation, you must continue to figure your prices under this regulation.

Sec. 12. Further provisions supplementing or explaining this regulation. From time to time, the Price Administrator may, by amendment, issue further provisions which will supplement the provisions of this regulation or explain the rights and duties of buyers and sellers under it. These further provisions will become part of this regulation and may be added as paragraphs to this section.

(a) Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your annual gross sales instead of the year 1942. If you find that as a result of that change, your store is in a different group from the one it was in before, you must, by the opening of business on Thursday, June 15, 1944, refigure all of your ceiling prices. You must use as your "net cost" the same "net cost" you would have used in refiguring your ceiling price on that Thursday under section 3 of this regulation. (Amdt. 4)

Sec. 12a. Delegation to Regional Administrator for Region VIII. The Regional Administrator for Region VIII may, by order, fix cents-per-pound mark-ups over "net cost" for sales by retail stores, retail route sellers and wagon retailers of those species of fresh fish and seafood for which no mark-ups have been established in Maximum Price Regulation No. 507 and for which the Regional Administrator, under the authority of section 20 (a) of Maximum Price Regulation No. 418, has by order fixed maximum prices for sales at other levels of distribution: *Provided, however,* That the mark-ups so established shall not exceed those generally prevailing during 1942.

The Regional Administrator for Region VIII shall issue with each order an opinion setting out that the above conditions have been satisfied. Each order shall include all of the provisions of general applicability in Maximum Price Regulation No. 507. Any order issued pursuant to this section shall apply to the area designated by the Regional Administrator, but in no event shall the order extend beyond the limits of Region VIII. (Amdt. 4)

ARTICLE II—SPECIAL PRICING PROVISIONS

Sec. 13. Additions for Groups 3 and 4 stores for delivery from warehouse to

store. If you are a Group 3 or 4 store, and your store is located at a distance of 125 miles or more from your warehouse, which is your usual receiving point, you may, in figuring your ceiling price for an item delivered from the warehouse to your store, add to your "net cost" for the item whichever of the following amounts applies:

(a) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1% of your "net cost".

(b) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2% of your "net cost".

(c) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3% of your "net cost".

(d) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4% of your "net cost".

Sec. 14. Additions allowed for deliveries made by "fish stores". (a) If you are a "fish store" and you deliver to your customer's home or place of business any of the items covered by this regulation, you may add to the total value of the delivery, as a separate charge, whichever of the following amounts applies:

Value of delivery:	Additions allowed
\$0.00 to \$.99	no addition
\$1.00 to \$1.99	15¢
\$2.00 to \$2.49	15¢
\$2.50 to \$3.49	20¢
over \$3.50	25¢

(b) If you make such deliveries and add such charges, you are required to keep for one month a copy of each sales slip or invoice, itemizing clearly your prices for the items delivered and the amount of the delivery charges permitted under the provisions of this section.

Sec. 15. How you figure your ceiling price for items which you "process".—(a) *Fresh fish.*—(1) "Net cost". If, prior to offering any item of fresh fish for sale, you "process" it by changing its form to either drawn, dressed, dressed and skinned, filets, cuts or steaks (sliced), you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price, fixed at the time you process it, for that style of dressing in Maximum Price Regulation No. 418, as listed in the table of prices covering your supplier's sales to you. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) If the item which you "process" is one which you purchased from a producer under Table A in Maximum Price Regulation No. 418, your "net cost" is the price, fixed at the time you process it, for that style of dressing in Table B of Maximum Price Regulation No. 418.

If, prior to offering any item of fresh fish for sale, you "process" it by changing its form to cuts or steaks (sliced), and if Maximum Price Regulation No. 418 does not fix a price for that style of dressing, you will figure your "net cost" as follows:

(i) For salt-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought dressed. If the item which you

process is one which you purchased from a producer under Table A of Maximum Price Regulation No. 418, use the dressed price, fixed at the time you process it, in Table B of Maximum Price Regulation No. 418.) Multiply that price by 1.40. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The resulting figure will be your "net cost" per pound for the item.

(ii) For fresh-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought round. Multiply that price by 1.45. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The resulting figure will be your "net cost" per pound for the item.

If you received deliveries from more than one type of supplier, use the table price in Maximum Price Regulation No. 418 applicable to the type of supplier from whom you received the largest single delivery.

NOTE: This paragraph (a) applies only to processing which changes the item to one of the following major styles of dressing: drawn, dressed, dressed and skinned, filets, cuts or steaks. (Amtd. 1)

(2) **Mark-up.** (i) Your mark-up for any item which you process prior to offering for sale by changing the form to drawn, dressed, or dressed and skinned, shall be the mark-up given your group of store for the item in the table covering whole fish sold on gross weight basis and prepared to the customer's order.

(ii) Your mark-up for any item which you process prior to offering for sale by changing the form to filets, cuts or steaks shall be the mark-up given your group of store for the item in the table covering filets, cuts and steaks sold as purchased.

For example, if in the month of January you purchase haddock drawn from a cash and carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the haddock for sale, you change its form from drawn to dressed, your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for dressed haddock (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for haddock in the table covering whole fish sold on gross weight basis and prepared to the customer's order.

If instead of dressing the haddock, your filet it, your "net cost" is the Table D price listed in Maximum Price Regulation No. 418 for haddock filets, (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for haddock in the table covering filets, cuts and steaks sold as purchased.

Or, for example, if in the month of March you purchase haddock (a salt-water fish) round, drawn, or dressed, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the haddock for sale, you change its form to steaks (sliced) your "net cost" under this regu-

lation is the Table D price listed in Maximum Price Regulation No. 418 for dressed haddock multiplied by 1.40 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for haddock in the table covering filets, cuts and steaks sold as purchased.

However, if in the month of March you purchase Canadian pickerel (a fresh-water fish) round, gutted, or headed and gutted, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the pickerel for sale you change its form to steaks (sliced) your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for round Canadian pickerel multiplied by 1.45 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for Canadian pickerel in the table covering filets, cuts and steaks sold as purchased. (Amtd. 1)

(3) If, prior to offering any item of fresh fish for sale, you scale and clean it in such a manner that the form of the fish is not changed from one major style of dressing to another, and such scaling and cleaning is the only processing you perform, you may add $\frac{1}{2}$ cent per pound to your "net cost" of the item figured under section 4.

(b) **Fresh seafood—(1) "Net cost."** If, prior to offering any item of fresh seafood for sale, you "process" it by changing its form to either headless, headless and veined, peeled, or peeled and veined, you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price, fixed at the time you process it, for that style of dressing in Maximum Price Regulation No. 418, as listed in the table of prices covering your supplier's sale to you. If the item which you "process" is one which you purchased from a producer under Table A in Maximum Price Regulation No. 418, your "net cost" is the price, fixed at the time you process it, for that style of dressing in Table B of Maximum Price Regulation No. 418. If you received deliveries from more than one type of supplier, use the table price in Maximum Price Regulation No. 418 applicable to the type of supplier from whom you received the largest single delivery.

(2) **Mark-up.** Your mark-up for any item of fresh seafood which you "process" prior to offering for sale shall be the mark-up given your group of store for the item in the table covering fresh seafood sold as purchased.

Sec. 16. How you figure your "net cost" for items which you import. If you import any item covered by this regulation, your "net cost" may not exceed the Table B price (plus transportation and container allowances) fixed in Maximum Price Regulation No. 418 for the item.

ARTICLE III—ADJUSTMENT PROVISIONS

Sec. 17. How Groups 3 and 4 stores may, under certain conditions, use the Group 1 and 2 mark-ups. (a) If you are a Group 3 or 4 store, and you have re-

ceived permission to use the Group 1 mark-ups under Maximum Price Regulation No. 422, or the Group 1 and 2 mark-ups under Maximum Price Regulation No. 336 or Maximum Price Regulation No. 355, you must figure your ceiling prices in accordance with the provisions of this regulation applicable to Groups 3 and 4 stores, except that you may use the Group 1 and 2 mark-ups under this regulation. You must then post the Group 1 sign.

(b) If you are a Group 3 or 4 "fish store" which meets the gross margin requirements specified in this section, and you do business in the manner outlined below, you may apply under paragraph (c) of this section to use the mark-ups provided for Group 1 and 2 stores:

(i) Your store generally offers to all its customers the services of taking orders by telephone, carrying monthly charge accounts, and providing delivery service;

(2) The general level of your prices for fish and seafood was, during September 1942, at least as high as the level maintained by Groups 1 and 2 stores, and was generally higher than that maintained by Groups 3 and 4 stores for such items in your community; and

(3) The total gross margin in your fiscal year 1941 was more than 25% on all sales and also, if you are not an "independent" store, more than 25% on the combined sales of the items in all the stores in your organization. If you were not in business in 1941, use your most recent fiscal year (or fiscal period, if not in business a full fiscal year).

(c) Your application must be filed in duplicate on or before June 24, 1944, with your nearest district OPA office on a form which you may obtain from that office. You may combine on one form the applications of more than one of your stores. If your application is finally approved, OPA will tell you when to begin using the Group 1 and 2 mark-ups, and from such time on you shall post a sign in your store designating it as a "Group 1" store and it shall be considered a Group 1 store for all orders issued under Revised General Order No. 51. (Amtd. 4)

Sec. 18. Applications for adjustment. Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate Regional Office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under section 17 or revoke any order granting adjustment under that section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1. (Amtd. 4).

ARTICLE IV—MISCELLANEOUS PROVISIONS

Sec. 19. How you find the "annual gross sales" of your store. (a) To find your "annual gross sales", take your total sales for the calendar year 1943. Include all sales as shown on your books, except sales by a restaurant in conjunction with your store. You can use your Federal Income Tax Return to get your gross sales for all or part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer. (Amtd. 4)

(b) If you were not in business during the entire year 1943, you must divide your total sales from the time you began operation up to January 26, 1944, by the number of weeks you were in business. This will get you your weekly average sales. Multiply the figure by 52, and the result is your "annual gross sales". (Amtdt. 4)

Sec. 20. How you determine your group in certain special cases—(a) Stores in which more than one retailer operates. If you sell fresh fish and seafood in a retail store in which there are other food retailers, none of whom sells fish and seafood, you must find your group by taking the combined "annual gross sales" of all the food retailers in that store.

(b) **New stores.** If you open a retail store after January 26, 1944, you may consider yourself a Group 1 store if you are an "independent" store, or a Group 3 store if you are not an "independent" store. However, after you have been in business for three months, you must determine again what group your store is in. To do this, take your total sales for the three-month period and multiply by four. Use the result as your "annual gross sales" in determining the group in which your store belongs. (Amtdt. 4)

If you find that your store should now be in another group, you may continue to use the Group 1 or Group 3 mark-ups until the second Thursday following the end of the three-month period, by which time you must have refigured all your ceiling prices using the mark-ups for your new group.

If, by reason of the new store, you now are one of four or more stores under one ownership, you must, at the end of the three-month period, refigure the combined "annual gross sales" for all of your stores. If the combined "annual gross sales" are \$500,000 or more, all of your stores must then be considered as Group 3 or 4 stores. You may continue to use the existing ceiling prices in each store until the second Thursday following the end of the three-month period, by which time you must have refigured all of your ceiling prices in each store, using the mark-ups for its proper group.

(c) **Discontinuance of stores.** (1) If you are not an "independent" store and you close one or more of your stores, so that you now have less than four stores under one ownership, you may find your group for each of the remaining stores by determining the "annual gross sales" under section 19, treating each store as an "independent" store.

(2) If you are not an "independent" store, and you close one or more of your stores, but four or more stores continue under one ownership, you may figure the combined "annual gross sales" under section 19 for those remaining in operation. If the combined "annual gross sales" are not \$500,000 or more, you may then determine your group for each store, treating each store as an "independent" store.

(3) If you find that any store is now in another group, you may refigure all of your ceiling prices for that store before the opening of business on any Thursday.

Sec. 21. Taxes. You may collect, in addition to your ceiling price, any tax upon or incident to a sale at retail of items covered by this regulation, if you state the tax separately, and if the statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

Sec. 22. Transfer of business and stock in trade. If, after January 26, 1944, you acquire in any way the business, assets, and stock in trade of any seller at retail subject to this regulation, and you carry on the business or continue to deal in the same type of food products in that same store, your ceiling prices shall be the same as those of the former owner, as if no transfer had taken place. You must keep all the records needed to verify your ceiling prices. The former owner must either preserve and make available to you, or give you, all the records of his transactions before you acquired the

store, which you need to comply with the record provisions of this regulation.

If the transfer changes the business from one group of retail stores to another, your ceiling prices shall be those for the group of retailer to which you belong under this regulation.

Sec. 23. Relation to other regulations. The provisions of this Maximum Price Regulation No. 507, except as otherwise provided in this regulation, shall, on and after January 27, 1944, supersede the provisions of Maximum Price Regulation No. 439, and any other applicable price regulation or order issued by the OPA, except any order issued pursuant to Revised General Order No. 51, with respect to sales by retail stores, retail route sellers and wagon retailers of any kind of fish or seafood for which ceiling prices are established by this regulation.

Sec. 24. Geographical applicability. The provisions of this regulation shall

apply to the 48 states of the United States and to the District of Columbia.

Sec. 25. Definitions. (a) (1) "Sale at retail" shall mean a sale to an ultimate consumer other than a commercial, industrial or institutional user.

(2) "Fish store" is a store at least 90% of whose sales are sales of fish or seafood to ultimate consumers other than commercial, industrial or institutional users.

(3) "Delivery" of an item covered by this regulation shall be considered to have occurred when the item has been received by you at your usual receiving point.

(4) "Usual receiving point" will be either your retail store or your warehouse from which you supply your retail stores, depending upon where you normally receive the particular item you are pricing under this regulation.

(5) "Item" is each kind, size, and style of dressing or preparation of fresh fish and seafood listed in Table A, both domestic and imported, but shall not include any frozen fish or frozen seafood. You must figure a separate ceiling price for each item you sell.

(6) "Process" shall mean any operation by a retailer prior to offering the item for sale, whereby the form of the fish is changed to either drawn, dressed, dressed and skinned, filets, cuts or steaks, or the form of seafood is changed to headless, headless and veined, peeled, or peeled and veined.

(7) "Prepared to the customer's order" shall mean any customary operation by a retailer, within the limitations of his mechanical facilities, such as cleaning, running the fins, trimming, scaling, gutting, heading, slicing, or filleting, after offering the item for sale. Where the customer requests whole fish in the form in which it is offered, the sale shall likewise be regarded as "prepared to the customer's order."

(8) "Whole fish" shall mean any fish item round, drawn, dressed, and dressed and skinned, but shall not include filets, cuts and steaks.

(9) "Major styles of dressing" shall mean round, drawn, dressed, dressed and skinned, filets, cuts and steaks.

(b) Unless the context otherwise requires, the definitions in Maximum Price Regulation No. 418, as amended, and in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.

ARTICLE V—TABLES

Sec. 26. Table of mark-ups for fresh fish and seafood (Table A).

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF MAY, JUNE, JULY, AUGUST, AND SEPTEMBER

I. FRESH FISH KIND OF FISH	Whole fish, sold on gross weight basis and prepared to customer's order ¹		Fillets, cuts and steaks sold as purchased ¹	
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Alewives.....	7	8		
2. Blackback.....	8	6	10	7
3. Codfish, Atlantic.....	9	7	10	7
4. Cusk.....	8	7	9	6
5. Dab, Sea.....	8	6	10	7
6. Haddock.....	8	6	10	7
7. Hake.....	8	6	9	6
8. Hake, Mud.....	7	6		
9. Herring, Atlantic.....	7	5		
10. Pollock.....	8	6		6
11. Rosefish.....	8	6	9	6
12. Sole, Grey.....	8	7	11	9
13. Sole, Lemon.....	9	7	11	10
14. Swordfish.....			11	10
15. Whiting.....	8	6	9	7
16. Wolfish.....	9	8	10	7
17. Yellowtail, Atlantic.....	8	6	10	7
18. Bonito.....	9	7	9	7
19. Cod, True, Pacific.....	8	6	9	6
20. Flounder, Pacific.....	8	6	10	7
21. Halibut.....	10	8	10	7
22. Ling Cod, Pacific.....	8	7	10	7
23. Rock (Red) Cod, Pacific.....	8	6	10	7
24. Sablefish.....	9	7	9	7
25. Salmon, Chinook, King.....	10	8	10	8
26. Salmon, Silver.....	10	8	10	7
27. Salmon, Pink.....	9	7	9	7
28. Salmon, Fall.....	9	7	9	7
29. Sauter, Sand Pike.....	9	7	10	8
30. Smelt, Silver, Pacific.....	9	7		
31. Sole, Dover.....	8	6	10	7
32. Sole, English.....	8	6	10	7
33. Sole, Petrale.....	8	6	10	7
34. Sole, Sand.....	8	6	10	7
35. Sole, Turbot.....	8	6	10	7
36. Tuna, Albacore.....			11	9
37. Tuna, Bluefin.....			10	7
38. Tuna, Skipjack, Striped.....			10	7
39. Tuna, Yellowfin.....			10	7
40. Yellowtail, Pacific.....		7	9	7
41. Lake Trout, Canadian.....	10	8	12	11
42. Pickerel, Canadian.....	9	8	10	8
43. Whitefish, Canadian.....	11	9	12	11
44. Yellow Pike, Canadian.....	11	9	12	10
45. Yellow Perch, Canadian.....	9	7		

Fresh Seafood Sold as Purchased¹

II. FRESH SEAFOOD KIND OF SEAFOOD	Groups I and II	Groups III and IV
	Cents per pound	Cents per pound
1. Scallops, Bay.....	14	13
2. Scallops, Sea.....	12	11
3. Shrimp, and Prawn.....	10	8

Retailers processing items prior to offering for sale at retail, who price in accordance with section 15 (a) (2) or section 15 (b) (2) shall use these tables.

[Region VIII Order G-1 Under MPR 507,
Amdt. 1]

FRESH FISH AND SEAFOOD

Order No. G-1 under Maximum Price Regulation No. 507, as amended. Ceiling prices of certain fresh fish and seafood sold at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 12 (a) of Maximum Price Regulation No. 507, as amended, Order G-1 under Maximum Price Regulation No. 507 is hereby issued:

(a) *What this order does.* This order fixes ceiling prices for the domestic and imported fresh fish and seafood items listed in Table A for all retail stores, except as otherwise provided in any order fixing dollars and cents ceiling prices issued pursuant to Revised General Order No. 51.

(b) Your ceiling price for each item of fresh fish and seafood (that is each kind, size, and style of dressing, or preparation) listed in Table A in Paragraph (d), shall be the total of (1) the "net cost" of the largest delivery of the item received by you during the preceding seven day period if you are a group one or two store, or the weighted average "net cost" of your deliveries of the item during the preceding seven day period if you are a group three or four store, plus (2) the markup given your group for the item in Table A in paragraph (d).

(c) All provisions of Maximum Price Regulation No. 507 are hereby incorporated and made a part hereof except where the context clearly requires otherwise and except as follows:

(i) In applying section 15 of Maximum Price Regulation No. 507 "net cost" shall be calculated with reference to the price, style of dressing, container allowance, and delivery allowance, set forth in Order No. G-6 under Maximum Price Regulation No. 418, as amended, instead of Maximum Price Regulation No. 418.

(ii) "Net cost" of any fresh fish or seafood imported by you, covered by Order G-6 may not exceed Table B price plus transportation and container allowance determined under Order G-6 under Maximum Price Regulation 418, as amended.

(d) *Markups for fresh fish and seafood.* Table A sets forth per pound markups over "net cost" allowed to retailers for fresh fish and seafood items covered by this regulation, by species:

TABLE A

Whole fish sold on gross weight and prepared to the customer's order	Item	I and II	III and IV	Filletts, cuts and steaks, or seafood items sold as purchased ¹	
				I and II	III and IV
		Cents per lb.	Cents per lb.	Cents per lb.	Cents per lb.
1. Barracuda.....		10	7	10	7
2. California Halibut....		10	8	11	9
3. Black Seabass.....				11	9
4. White Seabass.....		10	7	9	7
5. Rockbass.....		10	8	12	10
6. Crab (cooked in shell).....		9	7		
7. Crabmeat.....				18	18

¹ Retailers processing items prior to offering for sale at retail who price in accordance with section 15 (a) (2) and section 15 (b) (2) of Maximum Price Regulation No. 507, as modified by paragraph (c) hereof shall use these tables.

(e) *Applicability.* This order shall apply to Region VIII, which means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following Counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(f) This order shall become effective June 12th, 1944.

Issued this 1st day of June 1944.

Amendment No. 1 shall become effective June 12, 1944.

Issued this 6th day of June 1944.

The following two Executive Orders, issued by the President, and the Emergency Price Control Act of 1942, are the basis for the maximum price regulations issued by the Office of Price Administration:

The President

EXECUTIVE ORDER 9250

PROVIDING FOR THE STABILIZING OF THE NATIONAL ECONOMY

By virtue of the authority vested in me by the Constitution and the Statutes, and particularly by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes", as President of the United States and Commander in Chief of the Army and Navy, and in order to control so far as possible the inflationary tendencies and the vast dislocations attendant thereon which threaten our military effort and our domestic economic structure, and for the more effective prosecution of the war, it is hereby ordered as follows:

TITLE I—ESTABLISHMENT OF AN OFFICE OF ECONOMIC STABILIZATION

1. There is established in the Office for Emergency Management of the Executive Office of the President an Office of Economic Stabilization at the head of which shall be an Economic Stabilization Director (hereinafter referred to as the Director).

2. There is established in the Office of Economic Stabilization an Economic Stabilization Board with which the Director shall advise and consult. The Board shall consist of the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Chairman of the Board of Governors of the Federal Reserve System, the Director of the Bureau of the Budget, the Price Administrator, the Chairman of the National War Labor Board, and two representatives each of labor, management, and farmers to be appointed by the President. The Director may invite for consultation the head of any other department or agency. The Director shall serve as Chairman of the Board.

3. The Director, with the approval of the President, shall formulate and develop a comprehensive national economic policy relating to the control of civilian purchasing power, prices, rents, wages, salaries, profits, rationing, subsidies, and all related matters—all for the purpose of preventing avoidable increases in the cost of living, cooperating

in minimizing the unnecessary migration of labor from one business, industry, or region to another, and facilitating the prosecution of the war. To give effect to this comprehensive national economic policy the Director shall have power to issue directives on policy to the Federal departments and agencies concerned.

4. The guiding policy of the Director and of all departments and agencies of the Government shall be to stabilize the cost of living in accordance with the Act of October 2, 1942; and it shall be the duty and responsibility of the Director and of all departments and agencies of the Government to cooperate in the execution of such administrative programs and in the development of such legislative programs as may be necessary to that end. The administration of activities related to the national economic policy shall remain with the departments and agencies now responsible for such activities, but such administration shall conform to the directives on policy issued by the Director.

TITLE II—WAGE AND SALARY STABILIZATION POLICY

1. No increases in wage rates, granted as a result of voluntary agreement, collective bargaining, conciliation, arbitration, or otherwise, and no decreases in wage rates, shall be authorized unless notice of such increases or decreases shall have been filed with the National War Labor Board has approved such increases or decreases.

2. The National War Labor Board shall not approve any increase in the wage rates prevailing on September 15, 1942, unless such increase is necessary to correct maladjustments or inequalities, to eliminate substandards of living, to correct gross inequities or to aid in the effective prosecution of the war.

Provided, however, that where the National War Labor Board or the Price Administrator shall have reason to believe that a proposed wage increase will require a change in the price ceiling of the commodity or service involved, such proposed increase, if approved by the National War Labor Board, shall become effective only if also approved by the Director.

3. The National War Labor Board shall not approve a decrease in the wages for any particular work below the highest wages paid therefor between January 1,

1942, and September 15, 1942, unless to correct gross inequities and to aid in the effective prosecution of the war.

4. The National War Labor Board shall, by general regulation, make such exemptions from the provisions of this title in the case of small total wage increases or decreases as it deems necessary for the effective administration of this Order.

5. No increases in salaries now in excess of \$5,000 per year (except in instances in which an individual has been assigned to more difficult or responsible work), shall be granted until otherwise determined by the Director.

6. No decrease shall be made in the salary for any particular work below the highest salary paid therefore between January 1, 1942 and September 15, 1942 unless to correct gross inequities and to aid in the effective prosecution of the war.

7. In order to correct gross inequities and to provide for greater equality in contributing to the war effort, the Director is authorized to take the necessary action, and to issue the appropriate regulations, so that, insofar as practicable, no salary shall be authorized under Title III, Section 4 to the extent that it exceeds \$25,000 after the payment of taxes allocable to the sum in excess of \$25,000; Provided, however, that such regulations shall make due allowance for the payment of life insurance premiums on policies heretofore issued, and required payments on fixed obligations heretofore incurred, and shall make provision to prevent undue hardship.

8. The policy of the Federal Government, as established in Executive Order No. 9017 of January 12, 1942, to encourage free collective bargaining between employers and employees is reaffirmed and continued.

9. Insofar as the provisions of Clause (1) of section 302 (c) of the Emergency Price Control Act of 1942 are inconsistent with this Order, they are hereby suspended.

TITLE III—ADMINISTRATION OF WAGE AND SALARY POLICY

1. Except as modified by this Order, the National War Labor Board shall continue to perform the powers, functions, and duties conferred upon it by Executive Order No. 9017, and the functions of said Board are hereby extended to cover all

industries and all employees. The National War Labor Board shall continue to follow the procedures specified in said Executive Order.

2. The National War Labor Board shall constitute the agency of the Federal Government authorized to carry out the wage policies stated in this Order, or the directives on policy issued by the Director under this Order. The National War Labor Board is further authorized to issue such rules and regulations as may be necessary for the speedy determination of the propriety of any wage increases or decreases in accordance with this Order, and to avail itself of the services and facilities of such State and Federal departments and agencies as, in the discretion of the National War Labor Board, may be of assistance to the Board.

3. No provision with respect to wages contained in any labor agreement between employers and employees (including the Shipbuilding Stabilization Agreements as amended on May 16, 1942, and the Wage Stabilization Agreement of the Building Construction Industry arrived at May 22, 1942) which is inconsistent with the policy herein enunciated or hereafter formulated by the Director shall be enforced except with the approval of the National War Labor Board within the provisions of this Order. The National War Labor Board shall permit the Shipbuilding Stabilization Committee and the Wage Adjustment Board for the Building Construction Industry, both of which are provided for in the foregoing agreements, to continue to perform their functions therein set forth, except insofar as any of them is inconsistent with the terms of this Order.

4. In order to effectuate the purposes and provisions of this Order and the Act of October 2, 1942, any wage or salary payment made in contravention thereof shall be disregarded by the Executive Departments and other governmental agencies in determining the costs or expenses of any employer for the purpose of any law or regulation, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the Revenue Laws of the United States or for the purpose of determining costs or expenses under any contract made by or on behalf of the Government of the United States.

TITLE IV—PRICES OF AGRICULTURAL COMMODITIES

1. The prices of agricultural commodities and of commodities manufactured or processed in whole or substantial part from any agricultural commodity shall be stabilized, so far as practicable, on the basis of levels which existed on September 15, 1942 and in compliance with the Act of October 2, 1942.

2. In establishing, maintaining or adjusting maximum prices for agricultural commodities or for commodities processed or manufactured in whole or in substantial part from any agricultural commodity, appropriate deductions shall be made from parity price or comparable price for payments made under the Soil Conservation and Domestic Allotment Act, as amended, parity payments made under the Agricultural Adjustment Act of 1938, as amended, and governmental subsidies.

3. Subject to the directives on policy of the Director, the price of agricultural commodities shall be established or maintained or adjusted jointly by the Secretary of Agriculture and the Price Administrator; and any disagreement between them shall be resolved by the Director. The price of any commodity manufactured or processed in whole or in substantial part from an agricultural commodity shall be established or maintained or adjusted by the Price Administrator, in the same administrative manner provided for under the Emergency Price Control Act of 1942.

4. The provisions of sections 3 (a) and 3 (c) of the Emergency Price Control Act of 1942 are hereby suspended to the extent that such provisions are inconsistent with any or all prices established under this Order for agricultural commodities, or commodities manufactured or processed in whole or in substantial part from an agricultural commodity.

TITLE V—PROFITS AND SUBSIDIES

1. The Price Administrator in fixing, reducing, or increasing prices, shall determine price ceilings in such a manner that profits are prevented which in his judgment are unreasonable or exorbitant.

2. The Director may direct any Federal department or agency including, but not limited to the Department of Agriculture (including the Commodity Credit Corporation and the Surplus Marketing Administration), the Department of Commerce, the Reconstruction Finance Corporation, and other corporations organized pursuant to Section 5d of the Reconstruction Finance Corporation Act, as amended, to use its authority to subsidize and to purchase for resale, if such measures are necessary to insure the maximum necessary production and distribution of any commodity, or to maintain ceiling prices, or to prevent a price rise inconsistent with the purposes of this Order.

TITLE VI—GENERAL PROVISIONS

1. Nothing in this Order shall be construed as affecting the present operation of the Fair Labor Standards Act, the National Labor Relations Act, the Walsh-

Healey Act, the Davis-Bacon Act, or the adjustment procedure of the Railway Labor Act.

2. Salaries and wages under this Order shall include all forms of direct or indirect remuneration to an employee or officer for work or personal services performed for an employer or corporation, including but not limited to, bonuses, additional compensation, gifts, commissions, fees, and any other remuneration in any form, or medium whatsoever, (excluding insurance and pension benefits in a reasonable amount as determined by the Director); but for the purpose of determining wages or salaries for any period prior to September 16, 1942, such additional compensation shall be taken into account only in cases where it has been customarily paid by employers to their employees. "Salaries" as used in this Order means remuneration for personal services regularly paid on a weekly, monthly or annual basis.

3. The Director shall, so far as possible, utilize the information, data; and staff services of other Federal departments and agencies which have activities or functions related to national economic policy. All such Federal departments and agencies shall supply available information, data, and services required by the Director in discharging his responsibilities.

4. The Director shall be the agency to receive notice of any increase in the rates or charges of common carriers or other public utilities as provided in the aforesaid Act of October 2, 1942.

5. The Director may perform the functions and duties, and exercise the powers, authority, and discretion conferred upon him by this Order through such officials or agencies, and in such manner, as he may determine. The decision of the Director as to such delegation and the manner of exercise thereof shall be final.

6. The Director, if he deems it necessary, may direct that any policy formulated under this Order shall be enforced by any other department or agency under any other power or authority which may be provided by any of the laws of the United States.

7. The Director, who shall be appointed by the President, shall receive such compensation as the President shall provide, and within the limits of funds which may be made available, may employ necessary personnel and make provision for supplies, facilities and services necessary to discharge his responsibilities.

FRANKLIN D. ROOSEVELT

The White House,
October 3, 1942.

[F. R. Doc. 42-9889; Filed, October 3, 1942; 1:04 p. m.]

STATEMENT BY THE PRESIDENT ON EXECUTIVE ORDER NO. 9328

The Executive Order I have signed today is a Hold-the-Line order.

To hold the line we cannot tolerate further increases in prices affecting the cost of living or further increases in general wage or salary rates except where clearly necessary to correct sub-standard living conditions. The only way to hold the line is to stop trying to find justifications for not holding it here or not holding it there.

No one straw may break a camel's back, but there is always a last straw. We cannot afford to take further chances in relaxing the line. We already have taken too many.

On the price front, the directions in the Order are clear and specific.

All items affecting the cost of living are to be brought under control. No further price increases are to be sanctioned unless imperatively required by law. Adjustments in the price relationships between different commodities will be permitted if such adjustments can be made without increasing the general cost of living. But any further inducements to maintain or increase production must not be allowed to disturb the present price levels; such further inducements whether they take the form of support prices or subsidies, must not be allowed to increase prices to consumers. Of course, the extent to which subsidies and other payments may be used to help keep down the cost of living will depend on Congressional authorization.

Some prices affecting the cost of living are already above the levels of September 15, 1942. All of these cannot be rolled back. But some of these can and should be rolled back. The Order directs the reduction of all prices which are excessively high, inequitable, or unfair. The Stabilization Act was not intended to be used as a shield to protect prices which were excessively high on September 15, 1942.

On the wage front the directions in the Order are equally clear and specific.

There are to be no further increases in wage rates or salaries' scales beyond the Little Steel formula, except where clearly necessary to correct substandards of living. Reclassifications and promotions must not be permitted to affect the general level of production costs or to justify price increases or to forestall price reductions.

The Order also makes clear the authority of the Chairman of the War Manpower Commission to forbid the employment by an employer of any new employee except in accordance with regulations of the Chairman, the purpose being to prevent such employment at a higher wage or salary than that received by the employee in his last employment unless the change of employment will aid in the prosecution of the war.

It further calls the attention of all agencies of the federal government and of state and municipal authorities concerned with the rates of common carriers and public utilities to the stabilization program in the hope that rate increases will be disapproved and rate reductions ordered so far as may be consistent with federal and state laws.

For sometime it has been apparent that this action must be taken because of the continued pressure for increased wages and increased prices. I have heretofore refrained from acting because of the contention of the supporters of the Bankhead bill that under the Act of October 2, 1942, I had no authority to place ceiling prices on certain commodities at existing levels. My views on that question were set forth in my message of April 2, vetoing the Bankhead bill.

The Senate did not vote upon the question of passing the bill over the veto. Its author moved to recommit the bill to the Committee on Agriculture, stating that there were not sufficient votes to override the veto.

I am advised that weeks or months from this date the bill may be reported for consideration. I am also advised that in the history of the Congress no bill vetoed by a President and recommitted to a committee has ever become law.

I cannot wait to see whether the Committee at some future date will again report the bill to the Senate. I cannot permit a continuance of the upward spiral of prices.

Some groups have been urging increased prices for farmers on the ground that wage earners have unduly profited. Other groups have been urging increased wages on the ground that farmers have unduly profited. A continuance of this conflict will not only cause inflation but will breed disunity at a time when unity is essential.

Under the Act of October 2, 1942, Congress directed that so far as is practicable, wages, salaries and prices should be stabilized as of the level of September 15. Under that direction inflation has been slowed up. Now we must stop it.

We cannot stop inflation solely by wage and price ceilings. We cannot stop it solely by rationing. To complete the job, Congress must act to reduce and hold in check the excess purchasing power. We must be prepared to tax ourselves more, to spend less and save more. The details of new fiscal legislation must be worked out by the appropriate committees of the House and the Senate. The executive departments stand ready to submit suggestions whenever the committees desire.

I am exerting every power I possess to preserve our stabilization program.

I am sure the Congress will cooperate.

64952

The President

EXECUTIVE ORDER 9328

(STABILIZATION OF WAGES, PRICES, AND SALARIES)

By virtue of the authority vested in me by the Constitution and the statutes, and particularly by the First War Powers Act, 1941, and the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes," as President of the United States and Commander in Chief of the Army and Navy, and in order to safeguard the stabilization of prices, wages and salaries, affecting the cost of living on the basis of levels existing on September 15, 1942, as authorized and directed by said Act of Congress of October 2, 1942, and Executive Order No. 9250 of October 3, 1942, and to prevent increases in wages, salaries, prices and profits, which, however justifiable if viewed apart from their effect upon the economy, tend to undermine the basis of stabilization, and to provide such regulations with respect to the control of price, wage and salary increases as are necessary to maintain stabilization, it is hereby ordered as follows:

1. In the case of agricultural commodities the Price Administrator and the Administrator of Food Production and Distribution (hereinafter referred to as the Food Administrator) are directed, and in the case of other commodities the Price Administrator is directed to take immediate steps to place ceiling prices on all commodities affecting the cost of living. Each of them is directed to authorize no further increases in ceiling prices except to the minimum extent required by law. Each of them is further directed immediately to use all discretionary powers vested in them by law to prevent further price increases direct or indirect, to prevent profiteering and to reduce prices which are excessively high, unfair or inequitable. Nothing herein, however, shall be construed to prevent the Food Administrator and the Price Administrator, subject to the general policy directives of the Economic Stabilization

Director, from making such readjustments in price relationships appropriate for various commodities, or classes, qualities or grades thereof or for seasonal variations or for various marketing areas, or from authorizing such support prices, subsidies or other inducements as may be authorized by law and deemed necessary to maintain or increase production, provided that such action does not increase the cost of living. The power, functions and duties conferred on the Secretary of Agriculture under section 3 of the Emergency Price Control Act of 1942 (Public Law 421, 77th Cong.) and under section 3 of the Act of October 2, 1942 (Public Law 729, 77th Cong.) are hereby transferred to, and shall be exercised by the Food Administrator.

2. The National War Labor Board, the Commissioner of Internal Revenue and other agencies exercising authority conferred by Executive Order No. 9250 or Executive Order 9299 and the regulations issued pursuant thereto over wage or salary increases are directed to authorize no further increase in wages or salaries except such as are clearly necessary to correct substandards of living, provided that nothing herein shall be construed to prevent such agencies from making such wage or salary readjustments as may be deemed appropriate and may not have heretofore been made to compensate, in accordance with the Little Steel Formula as heretofore defined by the National War Labor Board, for the rise in the cost of living between January 1, 1941 and May 1, 1942. Nor shall anything herein be construed to prevent such agencies, subject to the general policies and directives of the Economic Stabilization Director, from authorizing reasonable adjustments of wages and salaries in case of promotions, reclassifications, merit increases, incentive wages or the like, provided that such adjustments do not increase the level of production costs appreciably or furnish the basis either to increase prices or to resist otherwise justifiable reductions in prices.

3. The Chairman of the War Manpower Commission is authorized to forbid the employment by any employer of any

new employee or the acceptance of employment by a new employee except as authorized in accordance with regulations which may be issued by the Chairman of the War Manpower Commission, with the approval of the Economic Stabilization Director, for the purpose of preventing such employment at a wage or salary higher than that received by such new employee in his last employment unless the change of employment would aid in the effective prosecution of the war.

4. The attention of all agencies of the Federal Government, and of all State and municipal authorities, concerned with the rates of common carriers or other public utilities, is directed to the stabilization program of which this order is a part so that rate increases will be disapproved and rate reductions effected, consistently with the Act of October 2, 1942, and other applicable federal, state or municipal law, in order to keep down the cost of living and effectuate the purposes of the stabilization program.

5. To provide for the consistent administration of this order and Executive Order No. 9250, and other orders and regulations of similar import and for the effectuation of the purposes of the Act of October 2, 1942, the Economic Stabilization Director is authorized to exercise all powers and duties conferred upon the President by that Act, and the Economic Stabilization Director is authorized and directed to take such action and to issue such directives under the authority of that Act as he deems necessary to stabilize the national economy, to maintain and increase production and to aid in the effective prosecution of the war. Except insofar as they are inconsistent with this order or except insofar as the Director shall otherwise direct, powers and duties conferred upon the President by the said Act and heretofore devolved upon agencies or persons other than the Director shall continue to be exercised and performed by such agencies and persons.

6. Except insofar as they are inconsistent with this order, Executive Order 9250 and the regulations issued pursuant thereto shall remain in full force and effect.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
April 8, 1943.

*8 P. R. 1699.

*7 P. R. 7971.

